G. R. S. App. F. IX-4]

Previous References.

RA

194 | -2

(RA)

File No. 98-

Serial Nos. 1.2.3

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Assembly

1.99

E

Part B for

March 1942

SUBJECT.

Legislative Rules and Standing orders of R'Board &c

Notifies that the Legislative Rules and standing orders shall come into effect from 29-3-1941.

The Comptroller Mysore Gazette.

No R.L. 3383-dc 31-40-2 dated 19.3.41

Assembly

8.1.43

Serial No.

1) Draft of the rules for regulating the Course of Business in the two Chambers and the Standing Orders of the two Chambers which are to be made by Government under section 38 of the Government of Mysore Act are submitted for consideration with an Explanatory Note.

Law Secy) JNRV 3/3

MAR 6 1941

88/3

2) I Member) Hm 2 5/3/41. JNRV 5/3

Please see marginal remarks on the proof copies & bring up with papers (Eg. Indian Legislative Assembly Rules etc)

Hm 9/3/41 JNRV 10/3

OFFICE OF THE FIRST ... MAR 21 1941 9458.

3) Corrected as directed. The Rules may now be approved.

I Member) Hm 2 21/3/41. JNRV 24/3

4) The procedure with regard to closure in respect of motions in the RA may be simplified. An alternative draft may be put up -

NOTE—Contn. Sheet.

5) In the rules dealing with the Public Accounts Committee and budget procedure, ~~reference~~ it is assumed that there will be a Finance Minister present in the House. It is quite possible that the Secretary will hold the Finance portfolio. In order to provide for this contingency the expression "Finance Minister" wherever it occurs should be omitted and a suitable alternative ~~from~~ suggested.

RLL
22/3/41

6) The Rule relating to closure in the existing Rules of Business of the Representative Assembly is simpler and runs as follows:-

"When any motion is under discussion any member may move "that the question be now put", provided he does not interrupt a speaker. Unless it appears to the President that the request is an abuse of the rules and the Standing Orders of the Assembly or an infringement of the rights of reasonable debate, the motion "that the question be now put" shall be put forthwith. There shall be no debate on such motion. If such motion be carried the question shall be put accordingly." This rule may be adopted in substitution of Standing Order 24 of the draft.

I agree
RLL

7) The words "Finance Minister" occur in ~~three~~ four places.

(1) Rule 52 (1) provides that the Finance Minister

File - Re-wording Legislative Rules and Standing Orders.

Serial No.

may include in one demand grants for two or more departments, and sub-rule (3) provides that the budget shall be presented in such form as the Finance Minister deems fit. Instead of the words "Finance Minister" the word "Government" may be substituted here.

(2) The word occurs again in connection with the right of reply at the end of the general discussions on the budget (Rule 54 sub-rule (2)). The rule ~~must~~ may be changed as follows:-

"Any Minister designated by the Dewan for the purpose or the Secretary to Government, Finance Department, shall have a general right of reply at the end of the discussion."

(3) Sub-rule (2) of Rule 74 provides that the Finance Minister shall be ex-officio member of the Public Accounts Committee and sub-rule (4) provides that the Finance Minister shall be the Chairman of the Committee. The relevant portions of the Rule may be re-drafted as follows:-

"The Committee on Public Accounts shall consist of six members including the Chairman who shall be a Minister designated by the Dewan." The words "Finance Minister" shall be the Chairman of the Committee" occurring in sub-rule (4) of Rule 74 may be deleted.

(4) In rule 62 relating to demands for excess grants the word "Government" may be substituted for "Finance Minister"

(5) The definition of Finance Minister given in rule 2 (1) may be omitted.

JWW 24/3

9) Law Secy)
9) I Member)

Hm 2/4/3/41 JWW 24/3

10) Dewan)

Hm 25/3/41 JWW 25/3

Hm 2/2724/41

OFFICE OF THE FIRST MEMBER OF COUNCIL
RECD 24 MAR 1941
No. 9570

NOTE—Contn. Sheet.

File No Legislative Rules and Standing orders of the of 194 ? General and Revenue Secretariat
R/A and Lc. D.1667/41 R. A. & L. C.

Serial No.

DEW... OFFICE
25. MAR. 1941
NO. 634

11) As the Rules have to be issued immediately to enable the summoning of the Assembly on the 5th of June, The Rules and the Standing Orders may be issued immediately and the file then submitted to His Highness.

12) Dewan) Hm 25/3/41

OFFICE OF THE SECOND MEMBER OF COUNCIL
26 MAR 1941
No. 9461

25-3-41

~~13~~ For perusal

13) II Member) Hm 26/3/41 JNW 26/3 26/3

Hm 26/3/41.

14) Draft notifications ~~publishing~~ issuing the rules and standing orders are submitted for approval. They will be got published in today's Gazettee.

JNW 27/3.

Law Secy) Hm 26/3/41

15) Issue JNW 27/3

Rules + Standing orders will, if approved, be published as a supplemental to the Gazette issued on 27.3.1941. A letter letter addressed to the Compiler Mysore Gazette is put up for signature

DM 27.3.41. Hm 26/3

Notifn No. 3374/R/A 98-40-1 dt 27.3.41
3375 Lc 31-40-1 dt 27.3.41
3375 R/A 98-40-2 dt 27.3.41 } Issues Legislative Rules + Standing Orders of the R/A + Lc.

16) Draft notifications bringing the Rules and Standing Orders into forces with

Legislative Rules and standing Orders.

1667 RL

5

General and Revenue Secretariat R. A. & L. C. | RA File No. of 1940-41 | App F. III-2

Serial No.

effect from the 29th March are submitted for approval.

MMM 29/3

11) Law Secy)

12) I Member)

Hm 2 29/3/41. MMM 29/3

OFFICE OF THE ... COUNCIL ... 29 1941 No. 9781

To be sent to ... after issue

MMM 29/3/41

16)

MM 29/3/41

Hm 2 29/3/41. Issue today

19) MMM 29/3

Sue Compiler, Mysore Gazette

NO RL 3382 RA 98. 40-4 dated 29.3.1941

Notifies that the Mysore Legislative Rules shall come into effect from 29.3.1941

The compiler, Mysore Gazette

NO RL 3381 RA 98.40-3 dated 29.3.1941

Notifies that the Assembly Standing Orders shall come into effect from 29.3.1941

The Compiler Mysore Gazette

NO RL 3383-L.C 3/-40-2 dated 29.3.1941

Notifies that the Legislative standing Orders shall come into effect from 29.3.1941

19) As directed in Para 18) of the notes Supra D.F.N. is put up for appl.

MMM 1/4

1.4.41 (Law Secy)

NOTE—Contn. Sheet.

6 Mysore Legislative Rules and standing Orders

AA File No. 1667/02 of 1940-41

General and Revenue Secretariat
R. A. & L. C.

Serial No.

20) D. F. N. submitted
I Member) Hm 2 1/4/41.
Signed F. N. is placed below.
Ck 2/4/41.

S. N. submitted - - -
Dewan) Hm 2 2/4/41

C. ... THE FIRST ... OF ...
APR 1 1941
No. 9966.

6586

DRAFT FINAL NOTE. ##661 2/4/41

Government have to make, under Section 38 of the Government of Mysore Act, 1940, rules for regulating the course of business and the preservation of order in the Representative Assembly and the Legislative Council and the first standing orders of the two Chambers. A set of rules applicable to both the Chambers and two sets of standing orders, one for the Representative Assembly and the other for the Legislative Council, have accordingly been framed. The existing practice and procedure are followed in the main under the rules and the standing orders, only such changes being made as have been necessitated by the introduction of the Reforms. The phraseology of the rules and the standing orders prevailing in British India ~~have been adopted to secure greater accuracy and definition.~~ (have as far as possible) for the sake of uniformity.

2) The rules and standing orders have been approved by the Dewan and the Second Member.

3) As the rules and the standing orders had to be published in time for the summoning of the Representative Assembly on the 5th June, 1941, they have been issued in anticipation of His Highness's sanction.

4) I solicit His Highness's gracious approval for the action taken.

Submitted
MVV
2/4
2
2/4/41

FIRST MEMBER.

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council on the Subject of* the Legislative Rules and Standing Orders of the Representative Assembly and Legislative Council, *for His Highness' gracious approval.*

Mirza M. Ismail

Dewan.

Bangalore,
2nd April 1941.

Final Note by the First Member of Council.

Subject.—
Legislative Rules and Standing Orders of the Representative Assembly and Legislative Council.

Government have to make, under Section 38 of the Government of Mysore Act, 1940, rules for regulating the course of business and the preservation of order in the Representative Assembly and the Legislative Council and the first standing orders of the two Chambers. A set of rules applicable to both the Chambers and two sets of standing orders, one for the Representative Assembly and the other for the Legislative Council, have accordingly been framed. The existing practice and procedure are followed in the main under the rules and the standing orders, only such changes being made as have been necessitated by the introduction of the Reforms. The phraseology of the rules and the standing orders prevailing in British India has, as far as possible, been adopted for the sake of uniformity.

The rules and standing orders have been approved by the Dewan and the Second Member.

As the rules and the standing orders had to be published in time for the summoning of the Representative Assembly on the 5th June, 1941, they have ben issued in anticipation of His Highness's sanction.

I solicit His Highness's gracious approval for the action taken.

FIRST MEMBER OF COUNCIL.

Bangalore
2nd April 1941.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Legislative Rules and Standing Orders of the Representative Assembly and Legislative Council.

Chief Secy
MJ
5-4-41

Order.

TRW.
3/4/41

no. 635

MJ
5.4.41

General and Revenue Secretariat.

C 528. 1 11

SUBJECT:—

Legislative Rules and standing orders of the R.A. and L.C.

(*)

31 All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness, orders ~~before/after issue of orders~~. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

....Department.

10188 5.4.41

FIRST MEMBER OF COUNCIL.

5/6/41

A 58 7.4.41

SECOND MEMBER OF COUNCIL.

7.4.41

Law Secy. with Compliments

7.4.41

Press Office (Sus C.) 42

8.4.41

Rev. Sec. Legislative B 16/3/42

NOTE.—Contn. sheet

WD 01183—GPB—500—16-10-40

8/4/41

12

R3374 R.A.98-40-1 dated 29th March 1941

9 copies

NOTIFICATION.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Rules for regulating the course of business and the preservation of order in the Representative Assembly and the Legislative Council:-

By Order,

H.V. Narayana Rao

Secretary to Government,
Law Department.

JWW 26/3

To--The Compiler, Mysore Gazette, for publication in the Gazette.

HKR.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 13

No. RL 337 RA 98407 General and Revenue Secretariat,

Dated Bangalore, 27th March 194

NOTIFICATION.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Rules for regulating the course of business and the preservation of order in the Representative Assembly and the Legislative Council:-

By Order,

M. R. Haradaraja Iyer
for Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in the Gazette.

HKR/9.

RL 3375 R.A. 98-40-2 dated 27th March 1941

9 copies

NOTIFICATION.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Standing Orders for ~~regulating the procedure and the conduct of business in~~ the Representative Assembly.

By Order,

26/3

Secretary to Government,
Law Department.

26/3

To--The Compiler, Mysore Gazette, for publication in the Gazette.

HKR.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 15

No. RL 3375 RA 98 40-2 General and Revenue Secretariat,

Dated Bangalore, 27th March .....1941.

NOTIFICATION.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Standing Orders for the Representative Assembly.

By Order,

M.R. Haradaraja Iyengar
for Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in the Gazette.

RL 3376 L.C 31-40-1 ~~A.L. 3~~ dated 27th March 1941

9 copies

NOTIFICATION.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Standing Orders for ~~regulating the procedure and the conduct of business in~~ the Legislative Council:-

By Order,

H.M. 26/3/41.

Secretary to Government,
Law Department.

H.M. 26/3

To--The Compiler, Mysore Gazette, for publication in the Gazette.

HKR.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. RL 3376. LC 31-40/ General and Revenue Secretariat,

Dated Bangalore, 27th March 1941

NOTIFICATION.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Standing Orders ~~of~~ for the Legislative Council:-

By Order

M. K. Varadaraju
for Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in the Gazette.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat 18

Bangalore, Dated, 27th March 1941.

No. RL 3377
Encls Three Notifications

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Compiler,
Mysore Gazette,
Bangalore.

Sir,

I am directed to request you to be good enough to make immediate arrangements to publish the accompanying notifications relating to Legislative Rules and Standing Orders of the Representative Assembly and the Legislative Council in a supplemental issue to the Gazette dated 27th March 1941.

I have the honour to be,
Sir,
Your most obedient servant,

26/3

Secretary to Government,
Law Department.

HKR.

Rl: 338 | RA 98-to-3.
8-29-3-1941

NOTIFICATION.

In exercise of the powers conferred on them by sub-order(2)of Standing Order 1 of the ~~Standing Orders of the~~ Mysore Representative Assembly/Standing Orders, the Government of His Highness the Maharaja are pleased to direct that ~~the Standing Orders of~~ the Representative Assembly/Standing Orders shall come into force from the 29th March, 1941.

By Order,

Secretary to Government,
Law Department.

29/3

To

The Compiler, Mysore Gazette, for publication in the Gazette.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

20.

No.....

General and Revenue Secretariat,

Dated Bangalore, 29th March *194* 1.

RL 3381/RA 9840-3

NOTIFICATION.

In exercise of the powers conferred on them by sub-order (2) of Standing Order 1 of the Representative Assembly Standing Orders, the Government of His Highness the Maharaja are pleased to direct that the Representative Assembly Standing Orders shall come into force from the 29th March 1941.

By Order,

M. K. Varadaraja Iyengar

for Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in the Gazette.

RL: 3382 | RA 28-100-41 & 29-3-41 21

NOTIFICATION.

In exercise of the powers conferred on them by sub-rule(2) of Rule 1 of the Mysore Legislative Rules, 1941, the Government of His Highness the Maharaja are pleased to direct that the Mysore Legislative Rules, 1941, shall come into force ~~with effect~~ from the 29th March, 1941.

By Order,

29/3/41.

Secretary to Government,
Law Department.

29/3

To

The Compiler, Mysore Gazette, for publication in the Gazette.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,
Bangalore Dated 29th March 1941.

No: RL.3382/RA98-40-4

NOTIFICATION.

In exercise of the powers conferred on them by sub-rule (2) of rule 1 of the Mysore Legislative Rules, 1941, the Government of His Highness the Maharaja are pleased to direct that the Mysore Legislative Rules, 1941, shall come into force from the 29th March 1941.

By Order,

M. N. Varadarajan
for Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette.

No. RL 3383/R.C.-31-60-2 23
& 29.3.41

NOTIFICATION.

In exercise of the powers conferred on them by sub-order (2) of Standing Order 1 of the Legislative Council, the Government of His Highness the Maharaja are pleased to direct that the ~~Standing Orders of the~~ Legislative Council Standing Orders shall come into force ~~xxx of~~ from the 29th March 1941.

By Order,

Secretary to Govt.,
Law Department.

29/3

To

The Compiler, Mysore Gazette, for publication in the Gazette.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

24

No. PL. 3383 | L-C-31-40-02 General and Revenue Secretariat,

Dated Bangalore, 29th March *194*1.

NOTIFICATION.

In exercise of the powers conferred on them by sub-order (2) of Standing Order 1 of the Legislative Council Standing Orders, the Government of His Highness the Maharaja are pleased to direct that the Legislative Council Standing Orders shall come into force from the 29th March 1941.

By Order,

M. N. Varadaraja Iyer

for Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in the Gazette.

EXPLANATORY NOTE.

According to the provisions of Section 38 of the Government of Mysore Act, Government have to make

(a) Rules of procedure for the conduct of business in the Representative Assembly and the Legislative Council;

(b) Standing Orders for the two Chambers in respect of matters for which no provision is made by Rules.

The Standing Orders though originally framed by Government are liable to be altered by the Chambers to which they relate with the consent of the Government, and in cases of conflict between a Rule and a Standing Order, the Rule will prevail over the Standing Order. The Rules are thus paramount and neither Chamber is given the power to change or alter any provisions in them. They can be modified only by the authority which framed them, viz., the Government.

This section of the Government of Mysore Act corresponds to sub-sections(5) and (6) of the Government of India Act, 1919. In exercise of the power conferred by that section, the Governor-General has framed the Indian Legislative Rules for regulating the course of business in the Indian Legislature. These Rules are still in force, though modified from time to time by the Governor-General, and are applicable to both the Legislative Assembly and the Council of State. Each Chamber has its own Standing Orders which, though made originally by the Governor General, have subsequently been changed by the Chambers to which they relate.

In Mysore, however, there were hitherto two sets of "Rules of Business" framed by the Government, one for the Representative Assembly and the other for the

Legislative

Legislative Council, though many of the provisions in the two Rules were identical and covered more or less the same ground, and two sets of Standing Orders for the two Chambers. Such duplication could not be avoided perhaps as the two Chambers functioned under two independent Acts, viz., the Representative Assembly Act,1923, and the Legislative Council Act, 1923. Now that the two Chambers function under a single Act, it is proposed to have, as in British India, a single set of Rules of Procedure which will be applicable to both the Assembly and the Council and two sets of Standing Orders, one for the Assembly and the other for the Council. The Rules follow the Indian Legislative Rules and the Standing Orders for the Assembly and the Council are based on those of the Legislative Assembly (Delhi). The Rules are called "The Mysore Legislative Rules" and comprise matters of importance in respect of which it may be as well to reserve powers of regulation to Government, while all matters not covered by the Rules are relegated to the Standing Orders.

The following are the salient features in the Rules and the Standing Orders:--

1. Sessions of the Chambers.- In British India, the Governor summons the Chambers and fixes the date and time of their meeting. A session of a Chamber is terminated by prorogation by the Governor. Under Section 13 of the Government of Mysore Act, however, it is the Government that has to summon the Chambers or either Chamber to meet at such time and place as it thinks fit. The Standing Orders accordingly provide for a meeting of the Chambers at such a time and place as may be notified by the Government in the Official Gazette, and a summons is thereupon sent by the Secretary to each

member

member. A session is not terminated by prorogation as in British India, but on the day appointed by Government in that behalf.

The number of days on which the Assembly should meet for the Dasara and the Budget Sessions was fixed in para 22 of the Government Order on the report of the Reforms Committee at 10 days and 8 days respectively. This is not implemented in the Rules or the Standing Orders, since in practice the duration of the sessions may be fixed with reference to the periods specified in the Government Order and the quantum of business to be transacted by each Chamber. Power is reserved to Government to extend the duration of the sessions either before the commencement of the session or in the course of the session.

2. Arrangement of Business.-The time for the transaction of non-official business in the two Chambers will be allotted by the Dewan who will also arrange Government business in such order as he deems fit at times when that business has precedence. In the Provinces this is done by the Governor, and in the Central Legislature by the Governor General.

3. Election of President and Deputy President, etc. Rules 4 and 5 of the Legislative Rules prescribe the procedure for the election of the elected President and Deputy President of the Legislative Council. The procedure is the same as that prescribed in the Provinces for the election of Speakers and Deputy Speakers of the Legislative Assemblies and the Presidents and Deputy Presidents of the Legislative Councils. The date for the holding of the election is fixed by the Dewan (in the Provinces the Governor fixes the date), and, at any time, before one o'clock in the afternoon on the day

preceding the date so fixed, any member may nominate another for election by delivering a nomination paper. If only one person is nominated, he will be declared elected, but if more than one person has been nominated, the Council will proceed to election by ballot. If there are more than two candidates and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes will be excluded from the election and ballotting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be. No member who has been elected and whose election has not been approved by His Highness the Maharaja can be nominated as a candidate during the continuance of the same Council.

The procedure for the moving of resolutions for the removal from office of the elected President and Deputy President is prescribed in Rule 25. If a fortnight's notice for the moving of such a resolution has been given, as required by the provisions of sub-section (4) of Section 16 of the Government of Mysore Act, the President will read the resolution to the Council and request the members who are in favour of leave being granted to move the resolution to rise in their places, and if not less than fifteen members rise accordingly, the President will allow the resolution to be moved, otherwise not.

4. Panel of Chairmen.-In para 49 of the Government Order on the Report of the Reforms Committee, Government have accepted the recommendation of the

Committee

Committee that a panel of four Chairmen may be selected by the President from among the members of the Legislative Council to preside over the deliberations of the Council in the absence of both the President and the Deputy President. Rule 6 accordingly provides for the nomination by the President, at the commencement of every new Council, of a panel of four Chairmen, any one of whom may preside over the Council in the absence of the President or the Deputy President. In the Provinces a new panel of Chairmen is constituted for each session but such a procedure is quite unnecessary here as the sessions of our Legislative Council are comparatively short and may not ordinarily extend over a week or ten days. A panel of Chairmen will - therefore be constituted under the Rules for the term of a Council, viz.,four years.

5. Statements by Non-official Ministers who have resigned.-On the analogy of the practice and procedure in the Provinces, Rule 26 provides that a member who has resigned the office of Minister may, with the consent of the President, make a personal statement in explanation of his resignation. Such statements on the floor of the House are no doubt necessary in the Provinces where the Ministers are responsible to the Legislature. But here they may be regarded as unnecessary since the Ministers are responsible to His Highness the Maharaja. All the same, it may be as well to provide an opportunity for authoritative statements on so important a subject being made on either side, viz., the Government as well as the Minister who has resigned. In the - absence of such a constitutional device, it will be very difficult to dispel any misapprehensions, ~~in~~ or to give the quietus to any speculations regarding the

circumstances leading to the resignation of a Minister.

6. Excluded matters.- No question can be put nor any resolution ~~or motion~~ moved or representation submitted in respect of matters which are excluded from the purview of the two Chambers under provisions of Section 29 of the Act. Similarly, no resolution or motion can be moved in regard to the excluded heads of expenditure in the financial statement. If any doubt arises as to whether any question, resolution or representation relates to an excluded subject or not, or whether an item of expenditure pertains to an excluded head or not, the Dewan will decide the point and his decision is final.

7. Special powers of the Dewan.- The Dewan is given the power to interpret the Legislative Rules on the analogy of the powers vested in the Governors in the Provinces. If any doubt arises in regard to the interpretation of any of the provisions of the Rules, the decision of the Dewan is final. The Dewan is also given the power on the analogy of the power vested in the Governor General of disallowing any question in either Chamber on the ground that it cannot be answered without detriment to the public interest. He may similarly disallow any resolution, motion or motion for adjournment on the ground that it cannot be moved without detriment to the public interest. He may on the same ground disallow the submission of any representation in the Assembly or the moving of any resolution onthe Budget or any motion for the reduction of demand for grant. No question can be asked, nor any resolution moved or representation submitted in respect of the disallowance by the Dewan of any question, resolution, motion or representation under the provisions of the Rules.

8. Questions, Resolutions and Representation.- The Rules regulating the form and contents of questions, and resolutions have been brought on a level with those prevailing in the Provincial and Central Legislature. Similarly, the rules prescribing the form and content of representations which are peculiar to Mysore have been systematised. ~~The President will decide~~. The President will decide upon the admissibility or otherwise of questions, resolutions and representations and may disallow any which are in contravention of the Rules.

In para 18 of the Government Order on the Report of the Reforms Committee, Government have accepted the recommendation of the Committee that the present system of selecting, at preliminary meetings in the districts, the resolutions, representations and questions which are to come up before the Assembly may be abolished, and that the members may be allowed to send them direct. No provision is therefore made in the Rules and Standing Orders for the holding of preliminary meetings. In paras 18, 19, and 20 of the Government Orders, Government have further accepted the recommendation of the Committee that each member of the Assembly should be entitled to send one question, one representation and one resolution per session of the Assembly. Accordingly, each member of the Assembly may send direct one question, one representation and one resolution for a session of the Chamber. The maximum number of questions, representations and resolutions for a session of the Assembly will thus be 300 each.

As regards the Legislative Council, the Reforms Committee did not suggest any change in respect of the number of questions and resolutions that a member may send. The existing practice will therefore continue.

Each

Each member may send per session, as at present, two resolutions and eight questions of which four may be starred. The difference between a starred question and an unstarred one is that starred questions will be answered orally in the Council and supplementary questions may be put thereon, while unstarred questions will not be called in the Council but will be printed with their answers and placed on the table.

As the number of questions to be dealt with inthe two Chambers has increased, the time for answering them has been extended from half an hour to one hour in both the Assembly and the Council.

9. Period of Notice.- In view of the large number of questions, resolutions, etc., which has to be handled and worked up in the Secretariat under the new scheme, the period of notice required in their case has been extended and fixed as follows:--

	Assembly.			Council.		
Questions	~~30~~ 30 clear days before the commencement of the session.			~~21~~ 30 clear days before the commencement of the session.		
Non-official Bills	~~30~~ 30	-do-	-do-	15	-do-	-do-
Resolutions	~~30~~ 30	-do-	-do-	~~21~~ 30	-do-	-do-
Representations	~~40~~ 30	-do-	-do-	...	...	...
Despatch of Statement of Business to Members.	10	-do-	-do-	10	-do-	-do-

In the case of the Assembly representations etc are required being received 40 days before the session. In the case of the Council the period of notice now is 21 days for resolutions & 15 days for questions HHW 6/3.

10. Relative Precedence of non-official Resolutions, etc.- The Reforms Committee recommended that the order in which resolutions were to be taken up for discussion might be determined by the drawing of lots. This recommendation was accepted by Government in Para 18 of the Government Order on the report of the Reforms Committee. The Committee did not, however, furnish any details

on the point. In the absence of such details, it is somewhat difficult to frame rules for a workable scheme. The ballot procedure which obtains in the provincial and central legislatures has accordingly been adopted for determining the relative precedence of non-official Bills and Resolutions.

this may be done HM 2/13.

Representations will be taken up in the order in which they are printed, but the President may at any time take up any particular representation or class of representations which he considers to be urgent.

As regards questions, as soon as answers are ready, they will be entered in the list of questions, and will be taken up in the order in which they stand on the list.

11. Legislation.- No provisions for the formal introduction of Bills, reference to Select Committees, etc., are required in the case of the Assembly, since that Chamber is not a regular law-making organ. According to the provisions of the Government of Mysore Act, every Bill has to be placed first before the Assembly and that Chamber has only the power of discussing the principles of the Bill and of carrying out amendments of principle. Provision has accordingly been made under the Rules and Standing Orders for the despatch of copies of Bills to the members, for restricting the sphere of discussions to the principles of Bills, for motions for amendments of principles, and for the despatch of copies of the statement issued by the Government when, acting in the exercise of the powers conferred upon it by the proviso to sub-section (2) of Section 26 of the Act, it introduces a Bill in the Legislative Council in opposition to the wishes of the Assembly.

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Rules 36 to 39 and Standing Orders 29 to 45 regulate the procedure for the passing of Bills in the Legislative Council. The procedure is generally the same as that which obtains now, but to ensure clarity and with a view to placing the procedure on a par with that which prevails in British India, Rules 18, 20 and 20 A of the Indian Legislative Rules and Standing Orders 37 to 52 of the Indian Legislative Assembly, which govern the process of legislation in the Legislative Assembly have been adopted in toto. This does not make any material difference in the existing procedure, except in regard to the following:--

(a) Under the existing Rules of Business and the Standing Orders of the Council, a Select Committee may elect its own Chairman and generally the Member of the Executive Council in charge of the Bill presides over the Committee. Under the Standing Orders the Minister in charge of the Law Department and the Minister in charge of the Department to which the Bill relates will be members of every Select Committee, and the Minister in charge of the Law Department will be the Chairman of the Committee. In his absence, the Deputy President of the Council, if he is a member of the Committee, ~~will preside.~~ and in his absence any Chairman of the Council who is a member of the Committee will preside.

This has been modified and the existing practice retained. HM 21/5/41

(b) The Committee should make its report, except in the case of Bills imposing taxation, not sooner than three months from the date of the publication of the Bill in the Gazette, unless the Council orders the report to be made sooner. The Committee is further empowered to take expert evidence on any measure referred to it.

(c) In the case of motions that a Bill be taken into consideration or that a Bill as reported by the

Select

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Select Committee be taken into consideration or ~~thxixx~~ motions for amendments, the elapsation of the period of notice, but any member may object that the required period has not elapsed, and such objection shall prevail, unless the President in the exercise of his power to suspend the relevant Standing Orders, allows the motion to be made.

This should be more convenient than making the notice of amendment mandatory as it exists at present. Hm 2/13

12. Private Bills.-Section 27 of the Government of Mysore Act requires the previous sanction of the Dewan for the placing of non-official Bills before the Assembly. Rule 32 prescribes the procedure for obtaining such sanction and ~~xxdxx~~ the three following rules lay down the subsequent procedure for the passing of such Bills. Any non-official member of the Assembly or the Council who desires to promote a Bill will first obtain the sanction of the Dewan through the Secretary to Government, Law Department, by sending a copy of the Bill with a statement of its principles and a statement of its objects and reasons and asking for such sanction. If sanction is accorded in respect of a Bill promoted by the member of the Assembly, the member himself will place the Bill before the Assembly; if the sanction is given to a Bill of which the promoter is a member of the Council, the Bill will be placed by the Government before the Assembly at the request of the member. If the principles of a Bill are approved by the Assembly, the Bill will be placed on the table of the Legislative Council by the Government. If the principles of a Bill have been modified by the Assembly, the Government will not place the Bill on the table of the Council unless the amendment has been embodied in the Bill. After the Bill has been thus laid on the table, any member of the Council may move for leave to introduce the Bill, and if the motion is carried,

the

the Standing Orders of the Council regulating the subsequent procedure for the passing of Bills will apply.

13. Financial Business.- Rules 50 to 61 and Standing Orders 51 to 53 of the Legislative Council and 35 of the Representative Assembly deal with the transaction of financial business. The procedure prescribed for the consideration and passing of the budget is the same as at present. Subject to the provisions of the rules, the Budget may be presented in such form as the Finance Minister may consider best fitted for its consideration by the Legislative Council.

The budget will be presented to each Chamber on a day appointed by the Dewan, and the number of days to be devoted to the general discussion of the budget in the two Chambers, for the moving of resolutions in the Assembly and for the voting of grants in the Legislative Council will likewise be fixed by him.

Copies of the budget will be sent to the members of the Legislative Council on the same day that it is presented to the Assembly and there will be no discussion in the Assembly on the budget on the day that it is presented. At the end of the general discussion, whether in the Legislative Council or in the Representative Assembly, the Finance Minister or the Financial Secretary may reply to the debate. The voting of demands for grants will take place in the Legislative Council for a period not exceeding four days, and at 5 o'clock onthe last day, every outstanding demand will be put to the vote.

The schedule of authorized expenditure of the State will be laid before the Legislative Council in pursuance of sub-section 2 of Section 34 of the

Government of Mysore Act on such a day as the Dewan may appoint forthe purpose.

14. Public Accounts Committee.- The constitution and functions of this Committee will be the same as at present. It is however specifically provided that the Finance Minister shall be the Chairman of the Committee. In British India, as for instance in the Central Government, the Public Accounts Committee is empowered to examine such trading, manufacturing and profit and loss accounts and balance-sheets as the Governor General may have required to be prepared, and to consider the report of the Auditor-General in cases where the Governor General may have required him to conduct the audit of any receipts or to examine the accounts of stores and stock. In Mysore, however, it may not be desirable to extend the functions of the Committee to these matters, as it may not be advisable to expose at this stage the accounts of the State commercial concerns to public criticism.

15. Petitions relating to pending Bills.- Standing Orders 54 to 62 of the Legislative Council provide for the presentation of petitions relating to pending Bills and their examination by a Committee, which will be constituted at the beginning of each new Council, and will consist of the Deputy President, as Chairman, and four members nominated by the President.

16. Amendment of Standing Orders.-The procedure for regulating the amendment of Standing Orders is the same as at present.

17. Effect of dissolution of either Chamber.- On the dissolution of either Chamber all Bills which have been introduced in the Chamber which has been

dissolved

dissolved will lapse.

18. Effect of the termination of a session.- On the termination of a session, all pending notices will lapse and fresh notices will have to be given for the next session.

19. General.-The existing Standing Orders of the two Chambers provide that the Chamber may at any time on a motion suspend the operation of any of the Standing Orders. This provision is maintained in the new Standing Orders also, although no similar provision is contained in the Standing Orders of any of the provincial legislatures.

The President is also given the power to regulate the conduct of business not provided for in the Act, the Rules or the Standing Orders.

3/3/41

Regd. No. M.—1175.

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PART IV.

Legislative Measures and Rules thereunder

NOTIFICATION.

No. Rl. 3374—*R. A.* 98-40-1, *dated Bangalore, the 27th March* 1941.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Rules for regulating the course of business and the preservation of order in the Representative Assembly and the Legislative Council.

By Order,

H. V. NARAYANA RAO,

Secretary to Government,

Law Department.

THE MYSORE LEGISLATIVE RULES, 1941.

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THE MYSORE LEGISLATIVE RULES, 1941.

PART I—Preliminary.

Short title and commencement.

1. (1) These rules may be called the Mysore Legislative Rules.

(2) They shall come into force on a day to be appointed by the Government of His Highness the Maharaja.

Definitions.

2. (1) In these rules—

"the Act" means the Government of Mysore Act, 1940;

"Assembly" means the Representative Assembly;

"Chamber" or "Chambers" means the Representative Assembly or the Legislative Council or both, as the case may be;

"clear days" includes Sundays and holidays.

"Council" means the Legislative Council;

"Gazette" means the *Mysore Gazette*;

"member" means a member of either Chamber;

"Minister" means a member of the Council of Ministers and includes any member to whom such Minister may delegate any function assigned to him under these rules;

"non-official member" means an elected member or a nominated member of either Chamber not holding any office in the civil or military service of His Highness the Maharaja under clause (a) of sub-section (1) of section 20 of the Act;

"resolution" means a motion for the purpose of discussing a matter of general public interest;

"standing order" means a standing order of either Chamber; and

"Secretary" means the Secretary to either Chamber, and includes any person for the time being performing the duties of the Secretary.

(2) The words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

Interpretation.

3. If any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Dewan shall be final.

PART II—Council Officials.

Election of President by the Council.

4. (1) When, owing to the expiration of the term of office of the appointed President of the Council, or the existence of any vacancy in the office of an elected President thereof, it is necessary to choose a member as President, the Dewan shall fix a date for the holding of the election, and the Secretary shall thereupon send to every member notice of the date so fixed.

(2) At any time before one o'clock in the afternoon on the day preceding the date so fixed, any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder, and stating—

(*a*) the name of the member nominated, and

(*b*) that the proposer has ascertained that such member is willing to serve as President, if elected.

(3) On the date fixed for election, the person presiding shall read out to the Council the names of the members who have been duly nominated, together with those of their proposers and seconders, and if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the Council shall proceed to elect a President by ballot.

(4) For the purposes of sub-rule (3), a member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before the reading out of the names by the person presiding, made the oath or affirmation as members of the Council.

(5) Where more than two candidates have been nominated and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election, until one candidate obtains more votes

than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(6) Where at any ballot any of two or more candidates obtain an equal number of votes and one of them has to be excluded from the election under sub-rule (5), the determination, as between the candidates whose votes are equal, of the candidate who is to be excluded shall be by drawing of lots in such manner as the person presiding may direct.

(7) No member who has been elected President and whose election has not been approved by His Highness the Maharaja shall be nominated as a candidate during the continuance of the same Council.

Election of Deputy President.

5. (1) After the members have been sworn in at the beginning of each new Council, the Council shall elect one of its members to be a Deputy President.

(2) At any time before one o'clock in the afternoon on the day preceding the date fixed by the Dewan for the election of the Deputy President, any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as the proposer and by a third member as seconder and stating—

(*a*) the name of the member nominated, and

(*b*) that the proposer has ascertained that such member is willing to serve as Deputy President, if elected.

(3) The President, or the person presiding, shall read out to the Council the names of the members who have been duly nominated, together with those of their proposers and seconders, and if only one member has been so nominated shall declare that member to be elected. If more than one member has been so nominated, the Council shall proceed to elect a Deputy President by ballot.

(4) The provisions of sub-rules (4), (5) and (6) of the last preceding rule shall apply to such election.

(5) If a vacancy in the office of the Deputy President occurs during the life of a Council or if His Highness the Maharaja withholds his approval to any election, a fresh election shall be held in accordance with the procedure hereinbefore mentioned:

Provided that a member whose election has not been approved by His Highness the Maharaja shall not be

proposed as a candidate during the continuance of that Council.

Panel of Chairmen and temporary Chairman of the Legislative Council.

6. (1) At the commencement of every new Council, the President shall nominate from amongst the members of the Council a panel of not more than four Chairmen, any one of whom may preside over the Council in the absence of the President and Deputy President, when so requested by the President, or in his absence, by the Deputy President.

(2) If at any time the office of President is vacant and there is no person authorised and able to preside over the Council, His Highness the Maharaja shall appoint from amongst its members a Chairman to preside until a President has been duly elected and the approval of His Highness the Maharaja to the election has been announced to the Council.

(3) A Chairman nominated under sub-rule (1) shall hold his office until a new panel of Chairmen is nominated.

Power of persons presiding.

7. The Deputy President and any Chairman of the Council and any person appointed by His Highness the Maharaja to preside over the Council in the absence of the President shall, when presiding over the Council, have the same powers as the President when so presiding, and all references to the President in the rules and standing orders shall, in these circumstances, be deemed to be references to any such person so presiding.

PART III—Arrangement of Business.

Allotment of time for non-official business and precedence of business.

8. The Dewan, after considering the state of business of that Chamber, shall allot so many days as may, in his opinion, be possible, compatibly with the public interest for the business of non-official members in that Chamber, and may allot different days for the disposal of different classes of such business, and, on days so allotted for any particular class of business, business of that class shall have precedence. On other days, no business other than Government business shall be transacted except with the consent of the Dewan.

PART IV—Questions.

Subject matter of questions.

9. (1) Subject to the provisions of these rules, a question may be asked for the purpose of obtaining information on a matter of public concern:

Provided that no question shall be asked in regard to any of the following subjects, namely:—

(*a*) the Ruling Family of Mysore;

(*b*) the relations of His Highness the Maharaja with His Majesty the King-Emperor or the Crown Representative;

(*c*) matters governed by treaties or conventions or agreements, now in force or hereafter to be made by His Highness the Maharaja;

(*d*) the provisions of the Act;

(*e*) such other matters as may, from time to time, be specially reserved by His Highness the Maharaja.

(2) If any doubt arises whether any question is or is not within the restrictions imposed by sub-rule (1), the Dewan shall decide the point, and his decision shall be final.

Notice of questions.

10. A member who wishes to ask a question shall give notice at least fifty clear days in the case of the Assembly, and thirty clear days in the case of the Council, before the date of the commencement of the session at which he desires to put the question and shall together with the notice, submit a copy of the question he wishes to ask:

Provided that the President may, with the consent of the Minister in charge of the department to which the question relates, allow a question to be put at shorter notice.

Provided also that no member shall, unless he has obtained the special permission of the President, be permitted to send in notice for one session of more than one question if he is a member of the Assembly, and of eight questions if he is a member of the Council.

Form and contents of questions.

11. In order that a question may be admissible it must satisfy the following conditions, namely—

(*a*) it shall relate to a single matter;

(*b*) it shall be so framed as to be merely a request for information;

(*c*) it must not bring in any name or statement not strictly necessary to make the question intelligible;

(*d*) if it contains a statement, the member asking the question must make himself responsible for the accuracy of the statement;

(*e*) it must not ask whether certain things, such as statements made in a newspaper, are true;

(*f*) it may ask for an explanation of the intentions of the Government in respect of a matter of immediate concern, provided that the question is not in substance a suggestion for any particular action in a matter raised by the member asking the question;

(*g*) it must not contain arguments, inferences, ironical expressions or defamatory statements;

(*h*) it must not ask for an expression of opinion or the solution of a hypothetical proposition;

(*i*) it must not refer to the character or conduct of any person except in his official or public capacity;

(*j*) it must not be of excessive length; and

(*k*) it must not refer to any matter which is under adjudication by a court of law having jurisdiction in any part of Mysore.

Matters to which questions must relate.

12. A question addressed to a non-official member must relate to a Bill, resolution or other matter connected with the business of the Chamber for which such member is responsible.

President to decide admissibility of questions.

13. The President shall decide whether a question is or is not admissible under these rules and may disallow any question when in his opinion—

(*a*) it is an abuse of the right of questioning at the expense of the Chamber and its time; or

(*b*) is calculated to obstruct or prejudicially affect the procedure of the Chamber; or

(*c*) is in contravention of these rules or the standing orders.

Power of Dewan to disallow questions.

14. The Dewan may, at any time before a question is put, inform the President that he disallows the question, or any part of the question, on the ground that it cannot be answered without detriment to the public interest, and, if he does so, the question or part of the question shall not be placed on the list of business, or if it has been placed on the list of business, the President shall decline to allow the question to be put.

Supplementary questions.

15. Any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that the President shall disallow any supplementary question if, in his opinion, it infringes the rules as to the subject matter of questions.

16. The member to whom a supplementary question is addressed may decline to answer it without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Chamber. Member may decline to answer supplementary questions without notice.

17. The President, at the request of a Minister, may direct that an answer to a question which has been called may be given on the ground of public interest, even though the question is not put or the member in whose name it stands is absent. Answer to question on the ground of public interest.

18. No discussion shall be permitted in respect of any question or of any answer given to a question. Discussion on questions.

PART V.—Motions for adjournment for purposes of debate.

19. A motion for an adjournment of the business of either Chamber for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President. Motions for adjournment.

20. The right to move the adjournment of either Chamber for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely :— Restriction on power to make motion.

(i) not more than one such motion shall be made at the same sitting ;

(ii) not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence ;

(iii) the motion must not revive discussion on a matter which has been discussed in the same session ;

(iv) the motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given ; and

(v) the motion must not deal with a matter on which a resolution could not be moved.

21. A member desiring to ask for leave to move a motion for adjournment of business must, before the commencement of the sitting of the day, leave with the Secretary a written statement of the matter proposed to be discussed. Time and method of asking leave.

Procedure to be followed.

22. If the President is of the opinion that the matter proposed to be discussed is in order, and it has not been disallowed under these rules, he shall read the statement to the Chamber and ask whether the member has the leave of the Chamber to move the adjournment. If objection is taken, the President shall request those members who are in favour of leave being granted to rise in their places, and if not less than twenty members in the case of the Council and not less than sixty members in the case of the Assembly rise accordingly, he shall intimate that leave is granted and that the motion will be taken at 4 P.M. or, if the President with the consent of the Minister in charge of the department to which the motion relates so directs, at any earlier hour at which the business of the day may terminate. If less than ~~fifteen~~ members or sixty members, as the case may be, rise, the President shall inform the member that he has not the leave of the Chamber.

Limit of discussion.

23. (1) On a motion to adjourn for the purpose of discussing a matter of urgent public importance, the only question that may be put shall be "That the Chamber do now adjourn":

Provided that the debate on the motion, if not earlier concluded, shall terminate at 6 o'clock, and thereafter no question shall be put.

Limit of speeches.

(2) No speech during the debate shall, except with the permission of the President, exceed fifteen minutes in duration.

Rule of discussion.

(3) Save as herein provided, the provisions regulating the discussion of resolutions shall apply to the discussion of such motions.

Power of Dewan to disallow motion for adjournment.

24. The Dewan, at any time after notice has been given of a motion for adjournment may, notwithstanding the consent of the President, or before such consent has been given, take cognizance of such motion and disallow it on the ground that it cannot be moved without detriment to the public interest, and, if he does so, the adjournment shall not be permitted by the President, and no further discussion of the motion shall take place.

PART VI.—President, Deputy President and Ministers.

Resolution for removal of President.

25. Any resolution for the removal from office of the elected President or Deputy President of the Council of which the notice as required by sub-section (4) of section 16 of the Act has been given shall be read to the Council by the President, who shall then request the members who are in favour of leave being granted to move the resolution to rise in their places and if not less than fifteen members rise accordingly, the President shall allow the resolution to be moved. If less than fifteen members rise, the President shall inform the member who may have given the notice that he has not the leave of the Council to move it.

Resignation of Ministers.

26. (1) A member who has resigned the office of Minister may, with the consent of the President, make a personal statement in explanation of his resignation.

(2) Such statement shall be made after questions and before the business for the day is entered upon.

(3) On such statement no debate shall be allowed:

Provided that a Minister shall be entitled, after such member has made his statement, to make a statement pertinent thereto.

PART VII.—General Principles of Procedure.

Quorum.

27. In the case of the Council, the presence of at least one-half the total number of members, and in the case of the Assembly the presence of at least eighty members shall be necessary to constitute a meeting of the Council and the Assembly, respectively, for the exercise of its powers.

Limitations on debate.

28. (1) The matter of every speech must be strictly relevant to the matter before the Chamber.

(2) A member while speaking must not—

(i) refer to any matter of fact on which a judicial decision is pending; or

(ii) make a personal charge against a member; or

(iii) use offensive expressions regarding the conduct or proceedings of the other Chamber; or

(iv) reflect upon His Highness the Maharaja, the members of the Ruling Family, His Majesty the King-Emperor, His Excellency the Crown Representative, the Hon'ble the British Resident, the Ruler of any foreign State,

the Governor of any Province in British India or any court of law in the exercise of its judicial functions; or

(v) utter treasonable, seditious or defamatory words; or

(vi) use his right of speech for the purpose of wilfully or persistently obstructing the business of the Chamber;

(vii) reflect on any determination of the Chamber except on a motion for amending or rescinding it; or

(viii) discuss any ruling or direction of the President or any order disallowing a question, resolution or motion.

Decision on points of order.

29. (1) The President shall decide all points of order which may arise, and his decision shall be final.

(2) Any member may at any time submit a point of order for the decision of the President, but in doing so, shall confine himself to stating the point.

Irrelevance or repetition.

30. The President, after having called the attention of the Chamber to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

Power to order withdrawal of member.

31. (1) The President shall preserve order and have all powers necessary for the purpose of enforcing his decision on all points of order.

(2) He may direct any member, whose conduct is in his opinion grossly disorderly, to withdraw immediately from the Chamber, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same session, the President may direct the member to absent himself from the meetings of the Chamber for any period not longer than the remainder of the session, and the member so directed shall absent himself accordingly.

(3) The President may, in the case of grave disorder arising in the Chamber, suspend any sitting for a time to be named by him.

PART VIII.—Legislation.

Previous sanction of the Dewan.

32. The previous sanction required under the provisions of section 27 of the Act for the placing of non-official Bills before the Assembly shall be obtained by

submitting to the Secretary to Government, Law Department, a copy of the Bill together with a statement of the principles of the Bill and a statement of objects and reasons and asking for permission of the Dewan to place the Bill before the Assembly.

Procedure for placing non-official Bills in the Assembly.

33. If the previous sanction of the Dewan in respect of a Bill has been obtained by—

(*a*) a member of the Council, the Government shall at the request of the member, place the Bill before the Assembly at the next following session;

(*b*) a member of the Assembly, he may place the Bill before the Assembly at the next following session provided that:

(i) notice has been given at least fifty clear days before the commencement of the session at which he desires to place the Bill before the Assembly; and

(ii) a copy of the Bill together with a statement of the principles of the Bill and a copy of the Dewan's sanction has been submitted with the notice.

Powers of the Assembly in respect of Bills.

34. The discussion in the Assembly in respect of every Bill shall be confined to the principles of the Bill as contained in the statement and its general provisions. The details of the Bill shall not be discussed further than may be necessary to explain its principles.

Procedure for non-official Bills in the Council.

35. (1) Every non-official Bill, the general principles of which have been approved by the Assembly with or without amendment, shall, at the request of the member concerned, be laid by the Government on the table at the next following session of the Council:

Provided that, if the principles of a Bill have been amended in the Assembly, the Bill shall not be so laid unless such amendment has been embodied in the Bill.

(2) At any time after the Bill has been laid on the table, any member of the Council may give notice of his intention to move for leave to introduce the Bill.

(3) The period of notice of a motion for leave to introduce a Bill under this rule shall be fifteen clear days.

(4) On the day on which the motion is set down in the list of business, the member giving notice may move for leave to introduce the Bill.

(5) If the motion for leave to introduce the Bill is carried, the Bill shall be introduced and the standing orders of the Council regulating the subsequent procedure in regard to the passing of Bills shall apply.

Publication of Bills before introduction.

36. The Dewan may order the publication of any Bill (together with the statement of objects and reasons accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill in the Council. In that case it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

Publication.

37. As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette.

38. (1) No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill and no motion that a Bill be referred to a Select Committee or be circulated or recirculated for the purpose of eliciting opinion thereon shall be made by any member other than the member in charge except by way of amendment to a motion made by the member in charge.

(2) For the purposes of this rule "member in charge of the Bill" means, in the case of a Government Bill, any member acting on behalf of the Government, and in any other case, the member who has given notice of his intention to move for leave to introduce the Bill.

39. A copy of the statement issued by the Government under the provisions of the proviso to sub-section (2) of section 26 of the Act shall be despatched to every member of the Council at least fifteen days before the commencement of the session at which the Bill to which the statement relates is to be introduced in the Council.

Effect of dissolution on pending Bills.

40. On the dissolution of either Chamber, all Bills which have been introduced in the Chamber which has been dissolved, or have been laid on the table under rule 35 and which have not been passed, shall lapse.

PART IX—Resolutions.

Notice of Resolutions.

41. A member who wishes to move a resolution shall give at least fifty clear days' notice if he is a member

of the Assembly, and thirty clear days' notice if he is a member of the Council, before the commencement of the session at which he desires to move the resolution and shall, together with the notice, submit a copy of the resolution he wishes to move:

Provided that no member shall, unless he has obtained the special permission of the President, be permitted to send in notice for one session of more than one resolution if he is a member of the Assembly and of two resolutions if he is a member of the Council.

Provided further that the President, with the consent of the Minister to whose department the resolution relates, may allow it to be entered on the list of business with shorter notice.

Restrictions on subjects for discussion

42. (1) No resolution shall be moved in regard to any of the following subjects, namely:—

(*a*) the Ruling Family of Mysore;

(*b*) the relations of His Highness the Maharaja with his Majesty the King-Emperor or the Crown Representative;

(*c*) matters governed by treaties or conventions or agreements, now in force or hereafter to be made by His Highness the Maharaja;

(*d*) the provisions of the Act;

(*e*) such other matters as may, from time to time, be specially reserved by His Highness the Maharaja;

(*f*) any matter which is under adjudication by a court of law having jurisdiction in any part of Mysore.

(2) The decision of the Dewan on the point whether any resolution is or is not within the restrictions imposed by sub-rule (1) shall be final, and on communication of his decision the resolution shall not be entered in the list of business or, if it has been so entered, the President shall decline to allow the resolution to be moved.

(3) The provisions of sub-rule (1) shall, so far as may be, apply to all motions for an adjournment for the purpose of discussing any matter of urgent public importance.

The form and contents of a resolution.

43. Subject to the provisions of these rules, any member may move a resolution relating to a matter of general public interest:

Provided that no resolution shall be admissible which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Government ;

(*b*) it shall be clearly and precisely expressed and shall raise substantially one definite issue ; and

(*c*) it shall not contain arguments, inferences, ironical expressions, or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

Admissibility of resolutions.

44. The President shall decide on the admissibility of a resolution and may disallow any resolution when in his opinion it does not comply with these rules.

Motion and withdrawal of resolutions.

45. (1) A member in whose name a resolution appears on the list of business shall, when called on, either—

(*a*) withdraw the resolution, in which case he shall confine himself to a mere statement to that effect, or

(*b*) move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business.

(2) If the member when called on is absent, the resolution standing in his name shall be considered to have been withdrawn :

Provided that the President in his discretion, may allow another member to move such resolution, or may postpone it.

Limits of discussion.

46. The discussion of a resolution shall be strictly limited to the subject of the resolution and shall not extend to any matter as to which a resolution may not be moved.

Amendments.

47. When a resolution is under discussion, any member may, subject to the rules relating to resolutions, move an amendment to such resolution.

Power of Dewan to disallow resolution.

48. The Dewan may at any time inform the President that he disallows a resolution, or any part of a resolution, on the ground that it cannot be moved without detriment to the public interest, and, if he does so, the resolution or part of the resolution shall not be placed on the list of business, or if it has been placed on the list of business, it shall not be moved.

Copy to Government.

49. A copy of every resolution which has been passed by the Chamber shall be forwarded to the Government, but any such resolution shall have effect only as a recommendation to the Government.

Discussion of matters of general public interest otherwise than on a resolution.

50. (1) Save in so far as is otherwise provided by these rules, no discussion of a matter of general public interest shall take place otherwise than on a resolution moved in accordance with these rules, except with the consent of the President and of the Minister to whose department the motion relates.

(2) It shall not be permissible to the President or to the Minister to give his consent to the moving of any motion in regard to any of the subjects in regard to which a resolution cannot be moved, and the decision of the Dewan whether any motion is or is not within the restrictions imposed by these rules shall be final.

(3) The Dewan may disallow any motion or part of a motion on the ground that it cannot be moved without detriment to the public interest and if he does so, the motion or part of the motion shall not be placed on the list of business or if it has been placed on the list of business, it shall not be moved.

PART X.—Financial Business.

The Budget.

51. A statement of the estimated annual expenditure and revenue of the State (hereinafter referred to as "the Budget") shall be presented to each Chamber on such day or days as the Dewan may appoint.

Demands for for grants.

52. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each department of the Government, provided that the Government may in its discretion include in one demand grants proposed for two or more departments, or make a demand in respect of expenditure which cannot readily be classified under particular departments.

(2) Each demand shall contain, first, a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these rules, the Budget shall be presented in such form as the Government may consider best fitted for its consideration by the Council.

Stages of the Budget debate.

53. The Budget shall be dealt with by the Chambers in two stages, namely,—

(i) a general discussion; and

(ii) the moving of resolutions in the Assembly and the voting of demands for grants in the Council.

General discussion.

54. (1) On a day or days to be appointed by the Dewan subsequent to the day on which the Budget is presented and for such time as the Dewan may allot for this purpose, each Chamber shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage.

(2) Any Minister designated by the Dewan for the purpose or the Secretary to Government, Finance Department, shall have a general right of reply at the end of the discussion.

(3) The President may, if he thinks fit, prescribe a time limit for speeches.

Moving of resolutions.

55. (1) The moving of resolutions on the Budget shall take place on such days as the Dewan may allot for the purpose.

(2) Every resolution shall be in the form of a specific recommendation addressed to the Government.

(3) Every resolution shall be confined to the general principles and policy underlying the Budget or of any of the major heads of expenditure included therein, and shall not have reference to particular grants or particular provisions, or to any excluded head of expenditure.

(4) The decision of the Dewan on the point whether any resolution relates to an excluded head of expenditure or not shall be final.

Disallowance of resolutions.

56. (1) The President may disallow any resolution which does not comply with any of the provisions of the last preceding rule.

(2) The Dewan may at any time disallow any resolution or part of a resolution on the Budget on the ground that it cannot be moved without detriment to the public interest, and, if he does so, the resolution or part of the resolution shall not be placed on the list of business, or it is placed on the list of business, it shall not be moved.

Effect of resolutions.

57. A resolution passed by the Assembly shall have effect only as a recommendation to the Government.

Voting of grants.

58. (1) The voting of demands for grants in the Council shall take place on such days not exceeding four as the Dewan may allot for the purpose:

Provided that at least two days shall elapse between the first day of the presentation of the Budget and the first day of the voting of demands.

(2) Of the days so allotted, not more than one day shall be allotted by the Dewan to the discussion of any one demand. As soon as the maximum limit of time for discussion is reached, the President shall forthwith put every question necessary to dispose of the demand under discussion.

(3) On the days allotted under sub-rule (1) for the voting of demands for grants, no other business shall be taken up before 5 P.M., except with the consent of the President:

Provided that nothing in this sub-rule shall be deemed to prohibit the asking and answering of questions during the time allotted under these rules.

(4) On the last day of the allotted days at five o'clock, the President shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants; and the consideration thereof shall not be anticipated by any motion for adjournment or be interrupted in any manner whatsoever nor shall any dilatory motion be moved in regard thereto.

Motions at this stage.

59. (1) No motion for appropriation can be made except on the recommendation of the Government communicated to the Council.

(2) Motions may be moved at this stage to omit or reduce any grant or any item in a grant, but not to increase a grant or to alter the destination of a grant.

(3) Where a motion is for a cut of a substantial amount to a head of a demand, the object of the motion shall be deemed to be the reduction of the grant and discussion will proceed on the merits thereof. But where a motion is for a cut of a nominal amount to a head of demand with a view to raise a discussion on the policy of a department or to draw the attention of the Government to any matter connected with the object of the grant, it shall indicate the particular point on which discussion is intended to be raised or to which the member desires to draw the attention of the Government.

(4) A motion shall not bring up for discussion matter which has been disallowed when brought up as a question or as a resolution or which is otherwise inadmissible.

(5) When several motions relating to the same demand are offered, they shall be discussed in the order in which the heads to which they relate appear in the Budget.

(6) The discussion of a motion referred to in sub-rule (3) shall be limited to the subject of the motion, the subsequent speakers confining their observations to the point raised by the mover and no other.

(7) No motion shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed.

60. (1) The President may disallow a motion if it does not comply with the provisions of the last preceding rule.

(2) The Dewan may at any time disallow any motion or part of a motion in respect of any demand for grant on the ground that it cannot be moved without detriment to the public interest, and, if he does so, the motion or part of the motion shall not be placed on the list of business, and if it is placed on the list of business, it shall not be moved.

Presentation of Budget in parts.

61. Nothing hereinbefore contained shall be deemed to prevent the presentation of the Budget to each Chamber in two or more parts and when such presentation takes place, each part shall be dealt with in accordance with the foregoing rules as if it were the Budget.

Excess grants.

62. If in respect of any financial year money ha been spent on any service for which the vote of the Council is necessary in excess of the amount granted for that service and for that year, a demand for the excess shall be presented to the Council by the Government and shall be dealt with in the same way by the Council as if it were a demand for a grant.

Supplementary or additional grants.

63. (1) An estimate shall be presented to the Council for a supplementary or additional grant when—

(i) the amount voted in the Budget of a grant is found to be insufficient for the purposes of the current year, or

(ii) a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated in the Budget for that year.

(2) An estimate may be presented to the Council for an additional or supplementary grant in respect of any demand to which the Council has previously refused its assent, or the amount of which the Council has reduced.

(3) Supplementary or additional estimates shall be dealt with in the same way by the Council as if they were demands for grants.

Schedule of authorised expenditure.

64. The schedule of the authorised expenditure of the State shall be laid before the Council in pursuance of sub-section (2) of section 34 of the Act on such day as the Dewan may appoint for the purpose.

PART XI.—Representations.

Notice of representations.

65. A member of the Assembly who wishes to submit a representation for the consideration of the Government shall give notice at least fifty clear days before the date of the commencement of the session at which he wishes to submit the representation and shall together with the notice send a copy of the representation which he wishes to submit:

Provided that the President may allow it to be entered on the list of business with shorter notice than fifty days.

Provided further that no member shall, unless he has obtained the special permission of the President, be permitted to send notice of more than one representation during one session of the Assembly.

Restriction on subject matter of representation.

66. (1) No representation shall be submitted on any of the subjects specified in section 29 and sub-section (3) of section 32 of the Act.

(2) The decision of the Dewan on the point whether any representation is or is not within the restriction imposed by sub-rule (1) shall be final.

Content of representations.

67. No representation shall be admissible which does not comply with the following conditions, *viz.*—

(*a*) The subject matter shall be clearly and precisely expressed and shall relate substantially to a single matter,

(*b*) It shall not contain arguments, inferences, ironical expressions, or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

(*c*) It shall not relate to any subject falling within the scope of the powers of a Municipal Council, District Board or other local body.

Admissibility of representations.

68. The President shall decide on the admissibility of a representation and may disallow any representation when in his opinion it does not comply with the rules.

Power of Dewan to disallow representations.

69. The Dewan may at any time disallow any representation on the ground that it cannot be submitted without detriment to the public interest, and, if he does so, the representation or part of the representation shall not be placed in the list of business and if placed on the list of business shall not be submitted.

Copy to Government

70. A copy of every representation submitted in the Assembly with the reply of the Government thereon shall be forwarded to the Government.

PART XII.—Miscellaneous.

Disallowed resolutions and questions.

71. A resolution or question that has been disallowed shall not be entered in the proceedings of the ~~Assembly~~ Chamber.

No questions, etc., on disallowances by the Dewan.

72. No question shall be asked, nor shall any resolution or motion be moved or any representation submitted in respect of the disallowance by the Dewan of any question, resolution, motion or representation under the provisions of these rules.

Giving of notice.

73. (1) Every notice required by these rules shall be given in writing addressed to the Secretary and may be posted or left at the office of the Chamber which shall be opened for this purpose between the hours of 11 and 3 o'clock on every day except Sunday or on a public holiday.

(2) Notices left or delivered by post when the office is closed shall be treated as given on the next day.

(3) Notices shall be given in such form and manner as the President may determine.

Constitution of Committee on Public Accounts.

74. (1) As soon as may be after the commencement of the first session of the Council, a Committee on Public Accounts shall, subject to the provisions of these rules, be

constituted for the purpose of dealing with the appropriation accounts of the State and the report of the audit officer thereon and such other matters as the Government may refer to the Committee.

(2) The Committee on Public Accounts shall consist of six members, excluding the Chairman, who shall be a Minister designated by the Dewan. Two-thirds of the members shall be elected by the Council from among its members according to the principle of proportional representation by means of the single transferable vote in accordance with the rules made by the Government in that behalf. The remaining one-third shall be nominated by the Government. The term of office of the members of the Committee shall be one year, but any member shall be eligible for re-election.

(3) Casual vacancies in the Committee shall be filled as soon as possible after they occur by election or nomination in the manner aforesaid according as the member who has vacated his seat was an elected or nominated member and any person so elected or nominated shall hold office for the period for which the person in whose place he is elected or nominated would, under the provisions of this rule, have held office.

(4) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

Functions of Committee on Public Accounts.

75. (1) In scrutinising the audit and appropriation accounts of the Government, it shall be the duty of the Committee to satisfy itself that the money voted by the Council has been spent within the scope of the demand granted by the Council.

(2) It shall be the duty of the Committee to bring to the notice of the Council—

(i) every reappropriation from one grant to another grant; and

(ii) every reappropriation within a grant which is not made in accordance with the rules, regarding reappropriation, or which has the effect of increasing the expenditure on an item, the provision for which has been specifically reduced by a vote of the Council.

Presentation of report of Committee on Public Accounts.

76. The report of the Committee on Public Accounts on the accounts of the State and the report of the audit officer thereon shall be presented to the Council by the Chairman of the said Committee.

NOTIFICATION.

No. Rl. 3375—*R. A.* 98-40-2, *dated Bangalore, the 27th March* 1941.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Standing Orders for the Representative Assembly.

By Order,

H. V. NARAYANA RAO,

Secretary to Government,
Law Department.

STANDING ORDERS OF THE REPRESENTATIVE ASSEMBLY.

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STANDING ORDERS OF THE REPRESENTATIVE ASSEMBLY.

Definitions.

Short title.

1. (1) These standing orders may be called the Representative Assembly Standing Orders.

(2) They shall come into force on a day to be appointed by the Government.

Definitions.

2. (1) In these Standing Orders, unless the context otherwise requires,—

"Assembly" means the Representative Assembly;

"clear days" includes Sundays and holidays;

"Gazette" means the *Mysore Gazette*;

"member" means a member of the Assembly;

"Minister" means a member of the Council of Ministers and includes any member to whom such Minister may delegate any function assigned to him under the rules or standing orders;

"motion" means a proposal made by a member for the consideration of the Assembly relating to any matter which may be discussed by the Assembly, and includes an amendment;

"notification" means a notification in the *Mysore Gazette*;

"resolution" means a motion for the purpose of discussing a matter of general public interest:

"rules" means the Mysore Legislative Rules;

"Secretary" means the Secretary of the Assembly and includes any person for the time being performing the duties of the Secretary; ~~and~~

(2) The words and expressions used in the Act and the rules and not defined in these Standing Orders shall have the meanings assigned to them in the Act and the rules, respectively.

Sessions of the Assembly.

Summoning of Assembly.

3. (1) Whenever it appears to the Government that the Assembly should be summoned—

(i) it shall cause a notification to be published in the Gazette fixing the time and place for a session of the Assembly, and

(ii) the Secretary shall thereupon send to each member a summons to attend the session.

(2) The Government may, either before the session commences or during the course of the session, by issuing a notification to that effect in the Gazette, extend the duration of the session and in such a case no intimation of the extension need be issued to the members.

Termination of session.

4. (1) A session of the Assembly is terminated on the day appointed by the Government in that behalf.

(2) On the termination of a session all pending notices shall lapse, and fresh notice must be given for the next session.

Time of meeting.

5. The meetings of the Assembly shall (subject to the direction of the President) ordinarily commence at 12 NOON and ordinarily terminate at 5 p.m.

Arrangement of business.

6. (1) At times when Government business has precedence, the Dewan may arrange that business in such order as he thinks fit.

(2) The relative precedence of notices of bills and resolutions given by non-official members shall be determined by ballot in accordance with the procedure set out in the schedule:

Provided that the President may, from time to time, make such variations in the said procedure as he may consider necessary or convenient.

(3) A resolution of congratulation or condolence may, with the permission of the President and subject to the provisions regulating the discussion of resolutions, be moved at any time.

List of business.

7. (1) A list of business for the session shall be prepared by the Secretary, and a copy thereof shall be sent to each member ten clear days before the session commences.

(2) Save as otherwise provided in the rules or these standing orders, no business not included in the list of

business for the session shall be transacted at any meeting without the leave of the President.

(3) Save otherwise provided by the rules or standing orders, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires.

Business outstanding at the end of day.

8. All business appointed for any day and not disposed of on that day shall stand over until the next day of the session available for business of the class to which it belongs, or until such other day in the session so available as the member in charge may desire, but non-official business so standing over shall have no priority on such day unless it has been commenced, in which case it shall only have priority over non-official business fixed for that day.

Swearing in before taking seat.

9. (1) At the beginning of each meeting, the President shall call upon new members desirous of taking their seats to do so.

(2) The Secretary shall then call the name of any new member desirous of taking his seat; and such member, after taking the oath or making the affirmation in the manner prescribed in the Act, shall take his appointed seat.

Secretary's report.

10. After the new members have taken their seats, the Secretary shall report to the ~~Council~~ Assembly, the Acts which have received the assent of His Highness the Maharaja.

Questions.

Time for question.

11. After the Secretary's report a period of one hour at every meeting shall be available for the asking and answering of questions.

List of questions.

12. As soon as answers to questions, which have not been disallowed, are received by the Secretary, they shall be entered in the list of questions to be prepared as early as possible and in such manner as the President may determine and the questions shall be put, if the time made available for questions permits, in the order in which they stand in the list before any other business is entered upon at the meeting. Any questions left over owing to time not being available shall be postponed to the next day of meeting when they shall take precedence over other questions.

Questions how put.

13. Questions shall be put and answers given in such manner as the President may determine.

Answers to withdrawn questions.

14. If on a question being called it is not put or the member in whose name it stands is absent, the President, at the request of any member, may direct that the answer to it may be given.

Motions for adjournment for purposes of debate.

Time of asking leave for motion for adjournment.

15. Leave to make a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance must be asked for after questions and before the business for the day is entered upon.

General Rules of Procedure.

Adjournment for failure of quorum.

16. (1) If the President on a count taken either on his own motion or on the demand of a member, at any time during a meeting ascertains that less than eighty members are present, he shall adjourn the Assembly till the next day on which it ordinarily sits or to a later hour on the same day to be named by him :

Provided that no demand for a count to ascertain the presence of a quorum shall be made within one hour of any previous count.

(2) Nothing in sub-order (1) shall be deemed to require the President to take a count where he is of opinion that the demand therefor was made frivolously or for the purpose of obstructing or prejudicially affecting the procedure of the ~~Council~~ Assembly.

Seating of members.

17. The members shall sit in such order as the President may appoint.

Members to rise when speaking.

18. A member desiring to move any motion, or make any observations on any matter before the Assembly, shall speak from his place, shall rise when he speaks, and shall address the President. At any time if the President rises, or if a member rises to a point of order, any member speaking shall immediately resume his seat.

Explanations.

19. If while a member is speaking, a member desires to make an explanation or to ask an explanation from the member speaking, he shall rise in his place, and if called upon by the President, shall make or ask the explanation; if not called upon, he shall resume his seat. The

President shall not call upon the member so rising unless the member speaking resumes his seat.

20. The admission to the Assembly Chamber of— Strangers.

(i) visitors to the Visitors' gallery;

(ii) representatives of the Press to the Press gallery; and

(iii) officials to the Official gallery, during the sittings of the ~~Council~~ Assembly shall be regulated in accordance with orders made by the President.

21. The President, whenever he thinks fit, may order the Visitors' or Press gallery to be cleared. Power to order withdrawal of strangers.

Motions.

22. (1) A motion shall be put by the President as a question for the determination of the Assembly. Motions.

(2) Votes may be taken by voices or division, and shall be taken by division, if any member so desires. The President shall determine the method of taking votes by division.

(3) The result of a division shall be announced by the President and shall not be challenged.

23. A motion must not raise a question substantially identical with one on which the Assembly has given a decision in the same session. Repetition of motions.

24. (1) After the mover of a motion has spoken other members may, save as otherwise provided, speak to the motion in such order as the President may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except by the permission of the President, to speak to the motion at any later stage of the debate. Order of speeches and right of reply.

(2) Save in the exercise of a right of reply or as otherwise provided by the rules or the standing orders, no member shall speak more than once to any motion, except with the permission of the President, for the purpose of making a personal explanation, but, in that case, no debatable matter may be brought forward.

(3) The mover of a substantive motion may speak a second time on the conclusion of the debate by way of reply; and if the motion is moved by a non-official member, the Minister in charge of the department to which the matter relates shall have the right of speaking after the

mover has replied (whether he has previously spoken in the debate or not).

(4) The President may in all cases address the Assembly before putting a question to the vote.

Rules as to amendments.

25. (1) An amendment must be relevant to, and within the scope of, the motion to which it is proposed.

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) An amendment on a question must not be inconsistent with a previous decision on the same question given at the same stage of any Bill or motion.

(4) An amendment in the alternative shall not be moved.

(5) An amendment to an amendment may be moved with the permission of the President.

(6) When an amendment to an amendment is moved the amendment sought to be amended shall, as long as the amendment by which it is sought to be amended is under discussion, be deemed to be the substantive proposition before the Assembly.

(7) After a decision has been given on an amendment to any part of a motion, an earlier part shall not be amended.

(8) The President may refuse to put an amendment which is in his opinion frivolous.

Closure.

26. When any motion is under discussion, any member may move "that the question be now put," provided he does not interrupt a speaker. Unless it appears to the President that the request is an abuse of the rules and the standing orders of the Assembly or an infringement of the rights of reasonable debate, the motion "that the question be now put" shall be put forthwith. There shall be no debate on such motion. If such motion be carried, the question shall be put accordingly.

Legislation.

Despatch of copies of Bills

27. A copy of every Bill proposed to be placed before the Assembly shall be sent to each member with a statement of the principles of the Bill at least ten clear days before the commencement of the session at which it is to be placed before the Assembly.

Notice of amendments to principles of Bills.

28. Any member desiring to propose an amendment to the principles of any Bill shall give notice at least

three clear days before the commencement of the session at which the Bill is to be placed before the Assembly.

Opinion of the Assembly on non-official Bills to be communicated to the members concerned.

29. The opinion of the Assembly in respect of every Bill placed before that Chamber under the provisions of clause (*a*) or clause (*b*) of rule 33 of the Mysore Legislative Rules shall be communicated by the Secretary to the Member of the Council at whose request the Bill was placed before the Assembly or the member of the Assembly, as the case may be.

Resolutions.

Notice of amendments to resolutions.

30. (1) Any member desiring to move an amendment to a resolution shall give notice at least three clear days before the commencement of the session.

(2) The Secretary shall, if time permits, cause every amendment to be printed, and send a copy thereof to be made available for the use of every member.

Order of amendments.

31. (1) When an amendment to any resolution is moved or when two or more such amendments are moved, the President shall, before taking the sense of the ~~Council~~ Assembly thereon, state or read to the ~~Council~~ Assembly the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

Division of resolution.

32. When any resolution involving several points has been discussed, it shall be in the discretion of the President to divide the resolution, and put each or any point separately to the vote as he may think fit.

Resolution not discussed.

33. If a resolution which has been admitted, is not discussed during the session, it shall be deemed to have been withdrawn.

Effect of motion withdrawal and disallowance.

34. When a resolution—

(*a*) has been moved, or

(*b*) has been withdrawn with the leave of the Assembly, or

(*c*) has been disallowed under the rules,

no resolution or amendment raising substantially the same question shall be moved within one year.

Budget.

Budget not to be discussed on day of presentation.

35. There shall be no discussion of the Budget on the day that it is presented to the Assembly.

Notice of resolutions.

36. Any member desiring to move a resolution on the Budget shall give notice within two days of the presentation of the Budget.

Order of resolutions on the Budget.

37. The President shall determine the order in which the resolutions on the Budget shall be discussed.

Representations.

Submission of representations.

38. Every representation will first be introduced and explained by the member or one of the members against whose name it stands in the printed list of subjects. Any other member who wishes to speak on the representation may do so, but no member shall speak twice on the same representation, unless he has obtained the previous permission of the President.

Closure.

39. (1) Whenever in the opinion of the President a representation has been fully discussed, he may close all further discussion on it.

(2) A member, submitting a representation shall have a right of reply unless the discussion has been closed previously by the President.

Order of representations.

40. Representations shall ordinarily be taken up for discussion in the order in which they are printed, but the President may, at any time, take up for discussion any particular representation or class of representations which he considers are urgent or important.

Time limit for speeches, etc.

41. (1) No member shall be allowed to speak for longer than ten minutes on a representation unless he has obtained the previous permission of the President.

(2) The time allowed for the consideration of any representation shall ordinarily be limited to thirty minutes.

(3) The President may extend the time of the speech or the time allowed for the discussion of a representation.

Amendment of Standing Orders.

Notice of proposal to amend standing orders.

42. (1) Unless the President otherwise directs, not less than fifteen days' notice of a motion for leave to amend

the standing orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

(2) The motion shall be set down for such day as the President may direct.

Procedure.

43. When the motion is reached, the President shall read the draft amendments and ask whether the member has the leave of the Assembly. If objection is taken, the President shall request those members who are in favour of leave being granted to rise in their places, and if not less than sixty members rise accordingly, the President shall intimate that the member has the leave of the Assembly. If less than sixty members rise, the President shall inform the member that he has not the leave of the Assembly.

Reference to Special Committee.

44. (1) Where a member has the leave of the Assembly to proceed, he shall move that the draft amendments be referred to a Special Committee.

(2) If that motion is carried, the draft amendments shall be referred to a Special Committee of which one of the Vice-Presidents nominated by the President shall be Chairman. The remaining members, who shall be seven in number, shall be selected by the Assembly by means of the single transferable vote in accordance with the regulations framed in this behalf by the President.

Subsequent procedure.

45. After a draft has been referred to a Special Committee, the procedure in regard to Bills similarly committed shall, as far as may be, be followed with such variations as the President may consider necessary or convenient.

Miscellaneous.

Assembly records.

46. (1) Journals shall be kept in which all the proceedings of the Assembly shall be entered in the order in which they occur. The Journal of the Assembly shall be submitted after each meeting to the President for his confirmation and signature and when signed shall be the record of the proceedings of the Assembly. The proceedings of each meeting of the Assembly shall be published as soon after the meeting as can be conveniently arranged.

(2) All documents ordered to be printed or recorded shall be referred to in the Journal and after being authenticated by the signature of the Secretary, shall be kept with the records.

Giving of notice.

47. (1) Every notice required by these standing orders shall be given in writing addressed to the Secretary and may be posted or left at the office of the Assembly which shall be open for this purpose between the hours of 11 and 3 o'clock on every day except Sunday or on a public holiday.

(2) Notices left or delivered by post when the office is closed shall be treated as given on the next day.

(3) Notices shall be given in such form and manner as the President may determine.

Duties of Secretary.

48. The Secretary shall attend at every meeting of the Assembly, and in addition to the other duties specially required by the rules or standing orders, it shall be his duty—

(*a*) to take charge of the records of the Assembly ;

(*b*) to keep the journals of the Assembly ;

(*c*) to write all letters ordered by the President of the Assembly.

(*d*) to superintend the printing of all papers ordered to be printed.

General.

General powers of President.

49. The President shall have power to regulate the conduct of business in the Assembly in all matters not provided for in the Act, the rules or the standing orders.

Suspension of standing orders.

50. The Assembly may, at any time, on a motion, suspend the operation of any of the standing orders.

Standing order repugnant to any rule.

51. Any standing order which is repugnant to the provisions of any rules shall, to the extent of that repugnancy but not otherwise, be void.

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SCHEDULE.

Ballot procedure for determining relative precedence of non-official Bills and Resolutions.

1. The Secretary will keep separate numbered lists for Bills and for Resolutions. On each list the name of each member who has given notice of a Bill or Resolutions, as the case may be, will be entered once.

2. There shall be separate ballots for Bills and Resolutions.

3. On the twelfth day previous to the commencement of the session, the ballots will be held in the office of the ~~Legislative Council~~ Assembly before the Secretary, and any member who wishes to attend may do so.

4. Papers with numbers corresponding to those against which entries have been made on the numbered list will be placed in a box.

5. A clerk will take out at hazard from the box one of the papers and the Secretary will call out from the numbered list the corresponding name which will then be entered on a priority list. This procedure will be carried out till all the numbers have been drawn.

6. Priority on the list will entitle the member to priority in moving the Resolution or Bill to which he has given notice.

Illustration.

A, B, C, D and E give notices of resolutions.

As their notices come in, their names are entered on the numbered list—

1. A.
2. B.
3. C.
4. D.
5. E.

Papers corresponding to the five numbers are put in the box and drawn out one by one in the following order 2, 3, 5, 1, 4; and the corresponding names are then entered in the priority list in that order—B, C, E, A, D.

NOTIFICATION.

No. Itl. 3376--*L. C.* 31-40-1, *dated Bangalore, the 27th March* 1941.

In exercise of the powers vested in them by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following Standing Orders for the Legislative Council.

By Order,

H. V. NARAYANA RAO,

Secretary to Government,

Law Department.

STANDING ORDERS OF THE LEGISLATIVE COUNCIL.

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STANDING ORDERS OF THE LEGISLATIVE COUNCIL.

Definitions.

Short title.

1. (1) These standing orders may be called the Legislative Council Standing Orders.

(2) They shall come into force on a day to be appointed by the Government.

Definitions.

2. (1) In these standing orders, unless the context otherwise requires:—

"clear days" includes Sundays and holidays;

"council" means the Legislative Council;

"Gazette" means the *Mysore Gazette*;

"member" means a member of the Council;

"Minister" means a member of the Council of Ministers and includes any member to whom such Minister may delegate any function assigned to him under the rules or standing orders;

"motion" means a proposal made by a member for the consideration of the Council relating to any matter which may be discussed by the Council, and includes an amendment;

"non-official member" means an elected member or a nominated member of the Council not holding any office in the civil or military service of His Highness the Maharaja under clause (*a*) of sub-section (1) of section 20 of the Act.

"notification" means a notification in the *Mysore Gazette*;

"President" includes any Chairman of the Council for the time being presiding over the Council;

"resolution" means a motion for the purpose of discussing a matter of general public interest;

"rules" means the Mysore Legislative Rules

"Secretary" means the Secretary of the Council, and includes any person for the time being performing the duties of the Secretary; ~~and~~

(2) The words and expressions used in the Act and the rules and not defined in these standing orders shall

have the meanings assigned to them in the Act and the rules, respectively.

Sessions of the Council.

Summoning of Council.

3. (1) Whenever it appears to the Government that the Council should be summoned—

(i) it shall cause a notification to be published in the Gazette fixing the time and place for a session of the Council,

(ii) the Secretary shall thereupon send to each member a summons to attend the session.

(2) The Government may, either before the session commences or during the course of the session, extend the duration of the session by issuing a notification to that effect in the Gazette and in such a case no intimation of the extension need be issued to the members.

Termination of session.

4. (1) A session of the Council is terminated on the day appointed by the Government in that behalf.

(2) On the termination of a session all pending notices other than notices of intention to move for leave to introduce a Bill shall lapse, and fresh notice must be given for the next session.

(3) Bills which have been introduced shall be carried over to the pending list of business of the next session:

Provided that, if the member in charge of a Bill makes no motion in regard to the same during two complete sessions, the Bill shall lapse, unless the Council, on a motion by that member in the next session, makes a special order for the continuance of the Bill.

Time of meeting.

5. The meetings of the Council shall (subject to the direction of the President) ordinarily commence at 12 NOON and ordinarily terminate at 5 P.M.

Arrangement of business.

Arrangement of business.

6. (1) At times when Government business has precedence, the Dewan may arrange that business in such order as he thinks fit.

(2) The relative precedence of notices of Bills and resolutions given by non-official members shall be determined by ballot in accordance with the procedure set out in the schedule:

Provided that the President may, from time to time, make such variations in the said procedure as he may consider necessary or convenient.

(3) Bills introduced by non-official members shall be arranged in such order as to give priority to the Bills most advanced, that is to say, in the following order:—

(i) Bills which have reached a stage at which the next motion is a motion that the Bill be passed;

(ii) Bills which have reached a stage at which the next motion is a motion that the Bill be taken into consideration;

(iii) Bills in regard to which the next stage is the presentation of the report of the Select Committee.

(iv) Bills the next stage of which is a motion that the Bill be referred to a Select Committee.

(4) The relative precedence of other non-official Bills which have been introduced but which have not been proceeded with as far as any of the stages set out above shall be determined by ballot to be held at such time and in such manner as the President may determine:

Provided that any Bills remaining over from the last session shall have priority in the order of the date of their introduction.

(5) A resolution of congratulation or condolence may, with the permission of the President and subject to the provisions regulating the discussion of resolutions, be moved at any time.

List of Business.

7. (1) A list of business for the session shall be prepared by the Secretary, and a copy thereof shall be sent to each member ten clear days before the session commences.

(2) Save as otherwise provided in the rules or these standing orders, no business not included in the list of business for the session shall be transacted at any meeting without the leave of the President.

(3) Save as otherwise provided by the rules or standing orders, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires.

Business outstanding at the end of day.

8. All business appointed for any day and not disposed of on that day shall stand over until the next day of the session available for business of the class to which it belongs, or until such other day in the session so

available as the member in charge may desire, but non-official business so standing over shall have no priority on such day unless it has been commenced, in which case it shall only have priority over non-official business fixed for that day.

Swearing in before taking seat.

9. (1) At the beginning of each meeting, the President shall call upon new members desirous of taking their seats to do so.

(2) The Secretary shall then call the name of any new member desirous of taking his seat and such member, after taking the oath or making the affirmation in the manner prescribed in the Act, shall take his appointed seat.

Secretary's report.

10. After the new members have taken their seats, the Secretary shall report to the Council, the Acts which have received the assent of His Highness the Maharaja.

Questions.

Time for question.

11. After the Secretary's report and the elections of a President and of a Deputy President, if any, have taken place, a period of one hour at every meeting, except during voting of demands for grants when half an hour shall be allowed, shall be available for the asking and answering of questions.

Procedure about asking starred questions.

12. Any member who desires an oral answer to his question must, at the time of giving notice thereof, distinguish it by an asterisk. All such starred questions put in the Council shall be answered orally.

Unstarred questions.

13. A question in respect of which the member concerned does not expect to put supplementary questions should not be starred. Questions, not starred, will not be called in the Council but they will be printed with their answers and placed on the table. Oral supplementary questions cannot be asked as regards answers given to unstarred questions.

List of questions.

14. As soon as answers to questions, which have not been disallowed, are received by the Secretary, they shall be entered in the list of questions to be prepared as early as possible and in such manner as the President may determine, and the questions shall be put, if the time made available for questions permits, in the order in which they stand in the list before any other business is entered upon at the meeting. Any questions left over owing to time not being available shall be postponed to the next day of

meeting when they shall take precedence over other questions.

15. Questions shall be put and answers given in such manner as the President may determine. Questions how put.

16. If on a question being called it is not put or the member in whose name it stands is absent, the President, at the request of any member, may direct that the answer to it may be given. Answers to withdrawn questions.

Motions for adjournment for purposes of debate.

17. Leave to make a motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance must be asked for after questions and before the business for the day is entered upon. Time of asking leave for motion for adjournment.

General Rules of Procedure.

18. (1) If the President on a count taken either on his own motion or on the demand of a member, at any time during a meeting, ascertains that one-half of the total number of members are not present, he shall adjourn the Council till the next day on which it ordinarily sits or to a later hour on the same day to be named by him. Adjournment for failure of quorum.

Provided that no demand for a count to ascertain the presence of a quorum shall be made within one hour of any previous count.

(2) Nothing in sub-order (1) shall be deemed to require the President to take a count where he is of opinion that the demand therefor was made frivolously or for the purpose of obstructing or prejudicially affecting the procedure of the Council.

19. The members shall sit in such order as the President may appoint. Seating of members.

20. A member desiring to move any motion, or make any observations on any matter before the Council, shall speak from his place, shall rise when he speaks, and shall address the President. At any time if the President rises, or if a member rises to a point of order, any member speaking shall immediately resume his seat. Members to rise when speaking.

21. If while a member is speaking, a member desires to make an explanation or to ask an explanation from the member speaking, he shall rise in his place, and if called upon by the President, shall make or ask the explanation. Explanations.

if not called upon, he shall resume his seat. The President shall not call upon the member so rising unless the member speaking resumes his seat.

Motions.

22. (1) A motion shall be put by the President as a question for the determination of the Council.

(2) Votes may be taken by voices or division, and shall be taken by division, if any member so desires. The President shall determine the method of taking votes by division.

(3) The result of a division shall be announced by the President and shall not be challenged.

Repetition of motions.

23. A motion must not raise a question substantially identical with one on which the Council has given a decision in the same session.

Order of Speeches and right of reply.

24. (1) After the mover of a motion has spoken other members may, save as otherwise provided, speak to the motion in such order as the President may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except by the permission of the President, to speak to the motion at any later stage of the debate.

(2) Save in the exercise of a right of reply or as otherwise provided by the rules or the standing orders, no member shall speak more than once to any motion except, with the permission of the President, for the purpose of making a personal explanation, but, in that case, no debatable matter may be brought forward.

(3) The mover of a substantive motion may speak a second time on the conclusion of the debate by way of reply, and if the motion is moved by a non-official member, the Minister in charge of the department to which the matter relates shall have the right of speaking after the mover has replied (whether he has previously spoken in the debate or not).

Rules as to amendments.

25. (1) An amendment must be relevant to, and within the scope of, the motion to which it is proposed.

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) An amendment on a question must not be inconsistent with a previous decision on the same question given at the same stage of any Bill or motion.

(4) An amendment in the alternative shall not be moved.

(5) An amendment to an amendment may be moved with the permission of the President.

(6) When an amendment to an amendment is moved the amendment sought to be amended shall, as long as the amendment by which it is sought to be amended is under discussion, be deemed to be the substantive proposition before the Council.

(7) After a decision has been given on an amendment to any part of a motion, an earlier part shall not be amended.

(8) The President may refuse to put an amendment which is, in his opinion, frivolous.

Closure.

26. (1) At any time after a motion has been made, any member may move "that the question be now put", and, unless it appears to the President that the motion is an abuse of the rules or these standing orders, or an infringement of the right of reasonable debate, the President shall put the motion "that the question be now put."

(2) At any time after a motion has been made in respect of a Bill promoted by a Minister, that Minister may request the President to put the question, and, unless it appears to the President that the request is an abuse of the rules or these standing orders, or an infringement of the right of reasonable debate, the President shall then put the question.

(3) Where a motion is made under sub-order (1), or a request is made under sub-order (2), the motion, and if it is carried, the question, or as the case may be, the question, shall be put without amendment or debate:

Provided that the President may allow any member any right of reply which he may have under these standing orders.

Strangers.

27. The admission to the Council Chamber of—

(i) visitors to the Visitors' gallery;

(ii) representatives of the Press to the Press gallery; and

(iii) officials to the Official gallery, during the sittings of the Council shall be regulated in accordance with orders made by the President with the approval of the Dewan.

Power to order withdrawal of strangers.

28. The President, whenever he thinks fit, may order the Visitors' or Press gallary to be cleared.

Legislation.

(a) Introduction of Bills.

Motion for leave to introduce.

29. If a motion for leave to introduce a Bill is opposed, the President, after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion may, without further debate, put the question.

(b) Motions after introduction.

Motion after introduction.

30. (1) When a Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely:—

(*a*) that it be taken into consideration by the Council either at once or at some future day to be then specified; or

(*b*) that it be referred to a Select Committee; or

(*c*) that it be circulated for the purpose of eliciting opinion thereon:

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any member may object to any such motion being made unless copies of the Bill have been so made available for three days before the day on which the motion is made, and such objection shall prevail, unless the President, in the exercise of his power to suspend this standing order, allows the motion to be made.

Discussion of principles of Bills.

31. (1) On the day on which any such motion is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.

(2) At this stage no amendments to the Bill may be moved, but—

(*a*) if the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee, or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion, or

(*b*) if the member in charge moves that the Bill be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried, and the Bill is circulated in accordance with that direction, and opinions are received thereon, the member in charge, if he wishes to proceed with the Bill thereafter, must move that the Bill be referred to a Select Committee, unless the President, in the exercise of his power to suspend this standing order, allows a motion to be made that the Bill be taken into consideration.

(c) Select Committees.

Composition of Select Committee.

32. (1) The Minister to whose department the Bill relates and the member who introduced the Bill shall be members of every Select Committee, and it shall not be necessary to include their names in any motion for appointment of such a Committee.

(2) The other members of the Committee shall be appointed by the Council when the motion that the Bill be referred is made, or, in the case of a motion made by way of amendment under clause (*a*) of sub-order (2) of Standing Order 31, at any subsequent meeting.

(3) The Minister in charge of the department to which the Bill relates shall be the Chairman of the Committee. In the case of an equality of votes, the Chairman shall have a second or casting vote.

(4) A Select Committee may hear expert evidence and representatives of special interests affected by the measure before them.

Quorum of Select Committee.

33. (1) The presence of a majority of the members of the Committee including the member in charge of the Bill shall be necessary to constitute a meeting of the Committee.

(2) If at the time fixed for any meeting of the Select Committe, or if at any time during any such meeting, the quorum of members is not present, the Chairman of the Committee, shall either suspend the meeting until a quorum is present or adjourn the Committee to some future day.

(3) Where the Select Committee has been adjourned in pursuance of sub-order (2) on two successive dates fixed for meetings of the Committee, the Chairman shall report the fact to the Council.

Report by Select Committee.

34. (1) After publication in the Gazette of a Bill, as required by the rules, the Select Committee to which the Bill has been referred shall make a report thereon.

(2) Such report shall be made not sooner than three months from the date of the first publication of the Bill in the Gazette, unless the Council orders the report to be made sooner:

Provided that the time limit referred to in this sub-order shall not apply in the case of Bills imposing taxation.

(3) Reports may be either preliminary or final.

(4) The Select Committee shall in their report state whether or not, in their judgment, the Bill has been so altered as to require re-publication, whether the publication directed by the rules has taken place, and the date on which the publication has taken place.

(5) If any member of a Select Committee desires to record a minute of dissent on any point, he must sign the report stating that he does so subject to his minute of dissent, and must at the same time hand in his minute.

Presentation of report.

35. (1) The report of the Select Committee on a Bill shall be presented to the Council by the member in charge of the Bill.

(2) In presenting a report the member in charge shall, if he makes any remarks, confine himself to a brief statement of fact, but there shall be no debate at this stage.

Printing and publication of reports.

36. (1) The Secretary shall cause every report of a Select Committee to be printed, and a copy of the report shall be made available for the use of every member of the Council. The report, with the amended Bill, shall be published in the Gazette.

Procedure after presentation of report.

37. (1) After the presentation of the final report of a Select Committee on a Bill, the member in charge may move—

(*a*) that the Bill as reported by the Select Committee be taken into condsideration: Provided that any member of the ~~Assembly~~ Council may object to its being so taken into consideration if a copy of the report has not been made available for the use of members for seven days, and such objection shall prevail, unless the President

in the exercise of his power to suspend this standing order, allows the report to be taken into consideration; or

(*b*) that the Bill as reported by the Select Committee be re-committed either—

(i) without limitation, or

(ii) with respect to particular clauses or amendments only, or

(iii) with instructions to the Select Committee to make some particular or an additional provision in the Bill, or

(*c*) that the Bill as reported by the Select Committee be re-circulated for the purpose of obtaining further opinion thereon.

(2) If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be re-committed or re-circulated for the purpose of obtaining further opinion thereon.

(d). Consideration, amendment and passing of Bills.

Proposal of amendments.

38. When a motion that a Bill be taken into consideration has been carried, any member may propose an amendment of the Bill.

Notice of amendments.

39. (1) If notice of a proposed amendment has not been given two clear days before the day on which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail, unless the President, in the exercise of his power to suspend this standing order, allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every notice of a proposed amendment to be printed and a copy thereof to be made available for the use of every member.

Order of amendments.

40. Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate; and in respect of any such clause a motion shall be deemed to have been made "that this clause stand part of the Bill."

Submission of Bills clause by clause.

41. Notwithstanding anything in these standing orders, it shall be in the discretion of the President, when a motion that a Bill be taken into consideration has been carried, to submit the Bill, or any part of the Bill, to the Council ~~Assembly~~ clause by clause. When this procedure is adopted,

the President shall call each clause separately, and, when the amendments relating to it have been dealt with, shall put the question: "That this clause (or, as the case may be, that this clause as amended) stand part of the Bill."

Passing of Bills.

42. (1) When a motion that a Bill be taken into consideration has been carried and no amendment of the Bill is made, the member in charge may at once move that the Bill be passed.

(2) If any amendment of the Bill is made, any member may object to any motion being made, on the same day, that the Bill be passed, and such objection shall prevail, unless the President, in the exercise of his power to suspend this standing order, allows the motion to be made.

(3) Where the objection prevails, a motion that the Bill be passed may be brought forward on any future day.

(4) To such a motion no amendment may be moved which is not either formal or consequential upon an amendment made after the Bill was taken into consideration.

Withdrawal of Bills

43. The member who has introduced a Bill may at any stage of the Bill move for leave to withdraw the Bill; and if such leave is granted, no further motion may be made with reference to the Bill.

Authentication of Bills.

44. When a Bill is passed by the Council, a copy thereof shall be signed by the President.

Submission of Bills to His Highness the Maharaja.

45. When a Bill has been passed by the Council, the Secretary shall send the copy of the Bill signed by the President to the Government for submission to His Highness the Maharaja.

Resolutions.

Notice of amendments.

46. (1) Any member desiring to move an amendment to a resolution shall give notice at least three clear days before the commencement of the session.

(2) The Secretary shall, if time permits, cause every amendment to be printed, and a copy thereof to be made available for the use of every member.

Order of amendments.

47. (1) When an amendment to any resolution is moved or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

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(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

Division of resolution.

48. When any resolution involving several points has been discussed, it shall be in the discretion of the President to divide the resolution, and put each or any point separately to the vote as he may think fit.

49. If a resolution which has been admitted is not discussed during the session, it shall be deemed to have been withdrawn.

Effect of motion, withdrawal and disallowance.

50. When a resolution—

(*a*) has been moved, or

(*b*) has been withdrawn with the leave of the Council, or

(*c*) has been disallowed under the rules,

no resolution or amendment raising substantially the same question shall be moved within one year.

Financial Procedure.

Despatch of copies of the Budget.

51. Copies of the Budget shall be despatched to the members of the Council on the same day on which it is presented to the Representative Assembly.

Notice of motions.

52. Any member desiring to move a motion to omit or reduce any grant shall give notice at least seven clear days before the commencement of the session.

Despatch of copies of resolutions on the Budget.

53. A copy of every resolution which has been passed by the Representative Assembly on the Budget shall be despatched to each member of the Legislative Council as soon as practicable.

Petitions Relating to Pending Bills.

Petitions relating to pending Bills.

54. Petitions relating to a Bill pending in the Council may be presented or submitted in accordance with the standing orders.

Presentation of petitions.

55. Any such petition may either be presented by a member, or be forwarded to the Secretary, in which latter case, the facts shall be reported by him to the Chamber.

Form of presentation.

56. A member presenting a petition shall confine himself to a statement in the following form :—

"I present a petition signed by .....
petitioners regarding ... .
Bill now pending in this Chamber."

and no debate shall be permitted on this statement.

Nomination of Committee on petitions.

57. A Committee on petitions shall be constituted at the commencement of each Council, and shall consist of the Deputy President who shall be Chairman and four members nominated by the President. The President may, if he thinks fit, fill up any vacancies occurring in the Committee.

Reference to Committee.

58. Every petition shall, after presentation by a member or report by the Secretary, as the case may be, be referred to the Committee, and the Council shall not be considered to be seized of the petition till the Committee has reported thereon.

Examination and report by Committee.

59. The Committee shall examine every petition referred to it, and shall report to the Council stating the subject-matter of the petition, the number of persons by whom it is signed, and whether it is in conformity with the standing orders. If the petition complies with the standing orders, the Committee may, in its discretion, direct that it be circulated as a paper to the Bill to which it relates. The Committee shall, in its report, state whether circulation has or has not been directed, and where circulation has not been directed, the President may, in his discretion, direct that the petition be circulated. Such circulation shall be of the petition *in extenso* or of a summary thereof as the Committee or the President, as the case may be, may direct.

Printing, Countersignature and language of petitions.

60. Every petition shall—

(i) either be in English and in print or, if not in English, be accompanied by an accurate English translation in print;

(ii) if presented by a member, be countersigned by him, and

(iii) be couched in respectful and temperate language.

Authentication of signatories to petitions.

61. The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by the signatory, if literate, by his signature, and, if illiterate, by his thumb impression.

Petitions to whom to be addressed.

62. Every petition shall be addressed to the Legislative Council, and shall conclude with a definite prayer in regard to the Bill to which it relates.

Amendment of Standing Orders.

Notice of proposal to amend standing orders.

63. (1) Unless the President otherwise directs, not less than fifteen clear days' notice of a motion for leave to

amend the standing orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

(2) The motion shall be set down for such day as the President may direct.

Procedure.

64. When the motion is reached, the President shall read the draft amendments and ask whether the member has the leave of the Council. If objection is taken, the President shall request those members who are in favour of leave being granted to rise in their places, and if not less than twenty-five members rise accordingly, the President shall intimate that the member has the leave of the Council. If less than twenty-five members rise, the President shall inform the member that he has not the leave of the Council.

Reference to Special Committee.

65. (1) Where a member has the leave of the Council to proceed, he shall move that the draft amendments be referred to a Special Committee.

(2) If that motion is carried, the draft amendments shall be referred to a Special Committee of which the President shall be Chairman, and the Deputy President shall be a member. The remaining members, who shall be seven in number, shall be selected by the Council by means of the single transferable vote in accordance with the regulations framed in this behalf by the President.

Subsequent procedure.

66. After a draft has been referred to a Special Committee, the procedure in regard to Bills similarly committed shall, as far as may be, be followed with such variations as the President may consider necessary or convenient.

Miscellaneous.

Council records.

67. (1) Journals shall be kept in which all the proceedings of the Council shall be entered in the order in which they occur. The Journal of the Council shall be submitted after each meeting to the President for his confirmation and signature, and when signed shall be the record of the proceedings of the Council. The proceedings of each meeting of the Council shall be published as soon after the meeting as can be conveniently arranged.

(2) All documents ordered to be printed or recorded shall be referred to in the Journal and after being authenticated by the signature of the Secretary, shall be kept with the records.

Giving of notice.

68. (1) Every notice required by these standing orders shall be given in writing addressed to the Secretary and may be posted or left at the office of the Council which shall be opened for this purpose between the hours of 11 and 3 o'clock on every day except Sunday or on a public holiday.

(2) Notices left or delivered by post when the office is closed shall be treated as given on the next day.

(3) Notices shall be given in such form and manner as the President may determine.

Duties of Secretary.

69. The Secretary shall attend at every meeting of the Council and of a Select Committee and in addition to the other duties specially required by the rules or standing orders it shall be his duty—

(*a*) to take charge of the records of the Council;

(*b*) to keep the journals of the Council and of the Select Committees;

(*c*) to write all letters ordered by the President of the ~~Assembly.~~ Council

(*d*) to superintend the printing of all bills and papers ordered to be printed.

(*e*) to assist, at all times, the Council and all Committees, in all work connected with their duty.

General.

General powers of President.

70. The President shall have power to regulate the conduct of business in the Council in all matters not provided for in the Act, the rules or the standing orders.

Council

Suspension of standing orders.

71. The ~~Assembly~~ may, at any time, on a motion, suspend the operation of any of the standing orders.

Standing order repugnant to any rule.

72. Any standing order which is repugnant to the provisions of any rules shall, to the extent of that repugnancy, but not otherwise, be void.

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SCHEDULE.

Ballot procedure for determining relative precedence of non-official Bills and resolutions.

1. A member giving notice of more than one Bill or of more than one resolution shall number his Bills or resolutions in the order in which he desires to introduce or move them: provided that he may alter such order at any time within the period of notice.

2. If a member fails to intimate to the Secretary of the ~~Assembly~~ Council the order of priority that he assigns to his Bills or resolutions, they will be given an order according to the following rules:—

(*a*) Bills carried over from the previous session will have priority over other Bills;

(*b*) new Bills or resolutions will be given the order in which they appear in the notice given of them by the member. If more than one notice is given by a member, the Bills or resolutions appearing in an earlier notice will have priority over those in a later notice.

3. The Secretary will keep separate numbered lists for Bills and for resolutions. On each list the name of each member who has given notice of a Bill or resolution, as the case may be, will be entered once.

4. There shall be separate ballots for Bills and resolutions.

5. On the twelfth day previous to the commencement of the session, the ballots will be held in the office of the Legislative Council before the Secretary, and any member who wishes to attend may do so.

6. Papers with numbers corresponding to those against which entries have been made on the numbered list will be placed in a box.

7. A clerk will take out at hazard from the box one of the papers and the Secretary will call out from the numbered list the corresponding name which will then be entered on a priority list. This procedure will be carried out till all the numbers have been drawn.

8. Priority on the list will entitle the member to priority in moving that resolution or Bill to which he himself has given priority under clause (1): provided

that if a resolution to which priority is given under clause (1) is disallowed, the next resolution standing in the member's name may be moved in its place.

9. Members will have the same priority as regards the Bills or resolutions to which they have given the second place under clause (1) as they have in respect of those to which they have given the first place.

Illustration.

A, B, C, D and E give a notice of resolutions, A, B and C of 2 each, D and E of 1 each.

As their notices come in, their names are entered on the numbered list--

1. A.
2. B.
3. C.
4. D.
5. E.

Papers corresponding to the five numbers are put in in the box and drawn out one by one in the following order: 2, 3, 5, 1, 4; and the corresponding names are then entered in the priority list in that order—B, C, E, A, D.

In that order first choices will be moved. After D has moved his resolution, second choices will be moved in the same order, E and D going out as they have no second resolution.

The complete order for the 8 resolutions would be:

B-1, C-1, E, A-1, D, B-2, C-2, A-2.

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